



# भारत का राजपत्र The Gazette of India

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सं. 11] नई दिल्ली, शनिवार, मार्च 16, 1991/फाल्गुन 25, 1912  
No. 11] NEW DELHI, SATURDAY, MARCH 16, 1991/PHALGUNA 25, 1912

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन रहे तथा इसे  
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a  
separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)  
PART II—Section 3—Sub-Section (ii)

(रक्षा मंत्रालय को छोड़ कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं  
Statutory Orders and Notifications issued by the Ministries of the Government of India other than  
the Ministry of Defence)

विधि और न्याय मंत्रालय  
(विधि कार्य विभाग)

नई दिल्ली 25 फरवरी, 1991

सूचना

क्र.आ. 733.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण  
में मक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री  
स्वरन्जीत सिंह माथारु ने उक्त प्राधिकारी को उक्त नियम  
के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया  
है कि उसे डिस्ट्रिक्ट कोर्ट्स, दिल्ली व्यवसाय करने के लिए नोटरी  
के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष  
इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप  
में मेरे पास भेजा जाए।

[सं. 5(11)/91न्या.]

पी. सी. कण्णन, मक्षम प्राधिकारी

MINISTRY OF LAW AND JUSTICE

(Department of Legal Affairs)

New Delhi, the 25th February, 1991

NOTICE

S.O. 733.—Notice is hereby given by the Competent  
Authority in pursuance of rule 6 of the Notaries, 1956,  
that application has been made to the said Authority, under  
rule 4 of the said Rules, by Shri Swaranjit Singh Matharu  
for appointment as a Notary to practise in District Centre,  
Delhi.

2 Any objection to the appointment of the said person  
as a Notary may be submitted in writing to the undersigned  
within fourteen days of the publication of this Notice.

[No F 5(11)/91-Just.]

P. C. KANNAN, Competent Authority.

कार्मिक, लोक शिक्का तथा पेंशन विभाग

(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 28 फरवरी, 1991

का.आ. 734.—केन्द्रीय सरकार, दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री विपिन बिहारी लाल और श्री गुरदयाल सिंह अधिवक्ता, दिल्ली को श्री के.एल. आरोड़ा और अन्य के विरुद्ध दिल्ली विशेष पुलिस स्थापन नियमित मामलों सं. आर.सं. 2/81 एम.आई.यू. (1)/एम.आई.सी. के. अभियोजन और उम्मेद उत्पन्न होने वाली अन्य कार्यवाहियों का संचालन करने के अर्थोत्तर, दिल्ली और नई दिल्ली में विचारण, अपील और पुनरीक्षण न्यायालय में विशेष लोक अभियोजक नियुक्त करती है।

[संख्या 225/4/90-ए.वी.डी.-II]

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES & PENSIONS

(Department of Personnel and Training)

New Delhi, the 28th February, 1991

S.O. 734.—In exercise of the powers conferred by Sub-Section (8) of Section 24 of the Code of Criminal Procedure 1973 (2 of 1974) the Central Government hereby appoints Shri Vipin Bihari Lal and Shri Gurdayal Singh, Advocates, Delhi as Special Public Prosecutors for the purpose of conducting the prosecution and also any other proceedings arising out of the Delhi Special Police Establishment Regular case RC 2/81-SIU-I/SIC-I against Shri K. L. Arora and others in the trial/Appellate and Revisional courts in Delhi and New Delhi.

[No. 225/4/90-AVD-II]

नई दिल्ली, 4 मार्च, 1991

का.आ. 735.—केन्द्रीय सरकार, दंड प्रक्रिया संहिता 1973 (1974 का 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, देहरादून (उत्तर प्रदेश) विशेष दंडाधिकारी/मिशन/अतिरिक्त सेशन न्यायालय में दिल्ली विशेष पुलिस स्थापन के निम्नलिखित नियमित मामलों के अभियोजन का तथा साथ ही अपील और पुनरीक्षण न्यायालयों में निम्न मामलों में उद्भूत अन्य कार्यवाहियों का संचालन करने के अर्थोत्तर के लिए श्री पुरण सिंह अधिवक्ता को विशेष लोक अभियोजक नियुक्त करती है।

- (1) आर.सी. 3 (एस)/89-एम.आई.यू.-II विरुद्ध सौरभ बंसल उर्फ बंटी एवं आशुतोष बंसल
- (2) आर.सी. 4 (एस)/89-एम.आई.यू.-II विरुद्ध आशुतोष बंसल एवं अन्य।
- (3) आर.सी. 5 (एस)/89-एम.आई.यू.-II विरुद्ध रविदत्त शर्मा एवं अन्य।
- (4) आर.सी. 6/89-एम.आई.यू.-II विरुद्ध हरीश छाबड़ा एवं अन्य।

(5) आर.सी. 7(एस)/89 एम.आई.यू.-II आर.सी. 8(एस)/89-एम.आई.यू.-II विरुद्ध एस.आर.सी. भसीन एवं अन्य।

(6) आर.सी. 9(एस)/89-एम.आई.यू.-II विरुद्ध श्रीमती रवी छाबड़ा एवं भूषण लाल जैन।

(7) आर.सी. 10(एस)/89-एम.आई.यू.-II विरुद्ध सतीश कर्णवाल एवं अन्य।

[संख्या 225/38/89-ए.वी.डी. II]

ए.सी. शर्मा, अवसर सचिव

New Delhi, the 4th March, 1991

S.O. 735.—In exercise of the powers conferred by Sub-Section (8) of Section 24 of the Code of Criminal Procedure 1973 (2 of 1974), the Central Government hereby appoints Shri Purn Singh, Advocate as a Spl. Public Prosecutor for conducting the prosecution of following Regular cases of Delhi Special Police Establishment in the Court of Special Magistrate for CBI cases at Dehradun/Sessions/Addl. Sessions court at Dehradun (UP) and also other proceedings arising out of the said cases in the Appellate and revision courts :—

- (1) RC 3(S)/89-SIU-II against Saurab Bansal Vs. Banti and Ashutosh Bansal.
- (2) RC 4(S)/89-SIU-II against Ashutosh Bansal & others.
- (3) RC 5(S)/89-SIU-II against Ravi Dutt Sharma & others.
- (4) RC 6/89-SIU-II against Harish Chhabra & others.
- (5) RCs 7(S)/89-SIU-II and RC 8(S)/89-SIU-II against S. R. Bhasin and others.
- (6) RC 9(S)/89-SIU-II against Smt. Ravi Chhabra and Bhushan Lal Jain.
- (7) RC 10(S)/89-SIU-II against Satish Karanwal and others.

[No. 225/38/89-AVD. II]

A. C. SHARMA, Under Secy.

बिज्ज मंत्रालय

(राजस्व विभाग)

आदेश

नई दिल्ली, 27 फरवरी, 1991

स्टाम्प

का.आ. 736.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उस शुल्क को माफ करती है जो विशाखापटनम स्टीले प्रोजेक्ट द्वारा जारी किए जाने वाले मात्र तीन सौ करोड़ रुपए के करादेय 13 प्रतिशत मूल्य के ऋण पत्रों के रूप में वर्णित बंधपत्रों पर उक्त अधिनियम के अंतर्गत प्रभार्य है।

[सं. 9/91-स्टाम्प फा.सं. 33/6/91-वि.क.]

## MINISTRY OF FINANCE

(Department of Revenue)

## ORDER

New Delhi, the 27th February, 1991

## STAMPS

S.O. 736.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds in the nature of debentures—13 per cent taxable of the value of rupees three hundred crores only to be issued by Visakhapatnam Steel Project are chargeable under the said Act.

[No. 9/91-Stamp/F. No. 33/6/91-ST]

आदेश

स्टाम्प

का.आ. 737.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का धारा 9 की उप धारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उस शुल्क को माफ करती है जो न्यूक्लीयर पावर कॉर्पोरेशन ऑफ इंडिया लि., नई दिल्ली द्वारा जारी किए जाने वाले मात्र चार सौ करोड़ रुपये मूल्य के एक-एक हजार रुपये के 7 वर्ष बाद गैर संचयी सुरक्षित 13 प्रतिशत वार्षिक दर से व्याज वाले (करादेय) श्रृंखला IV के प्रामिसरी नोटों के रूप में बंध पत्रों पर उक्त अधिनियम के अंतर्गत प्रभावी है।

[सं. 10/91-स्टाम्प फा.सं. 33/77/90-वि.क]

## ORDER

## STAMPS

S.O. 737.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds in the nature of promissory notes described as IV Series Bonds carrying interest at 13 per cent per annum (taxable)—Non-cumulative—Secured Redeemable after 7 years of Rs. 1000 each of the value of rupees four hundred crores only to be issued by Nuclear Power Corporation of India Limited, New Delhi are chargeable under the said Act.

[No.No. 10/19-Stamp/F. No. 33/77/90-ST]

आदेश

स्टाम्प

का.आ. 738.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उप धारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा महाराष्ट्र राज्य वित्त निगम, बम्बई को छः लाख, उन्तालीस हजार, तीन सौ और पचहत्तर रुपये मात्र के उस समेकित स्टाम्प शुल्क का भुगतान करने की अनुमति प्रदान करती है जो उक्त निगम द्वारा जारी किए जाने वाले आठ करोड़, बावन लाख और पचास हजार रुपये मात्र के अंकिन मूल्य के ऋणपत्रों के रूप में एक-एक हजार रुपये के 11.5 प्रतिशत महाराष्ट्र राज्य वित्त निगम बंधपत्र 2010 (59वीं श्रृंखला)

वाले क्रम संख्या 1 से 97 के बंध पत्रों पर स्टाम्प शुल्क के कारण प्रभावी है।

[सं. 8/91-स्टाम्प फा.सं. 33/14/91-वि.क.]

ठाकुर दत्त, उप सचिव

## ORDER

## STAMPS

S.O. 738.—In exercise of the powers conferred by clause (b) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits the Maharashtra State Financial Corporation, Bombay to pay consolidated stamp duty of rupees six lakhs, thirty nine thousand, three hundred and seventy five only, chargeable on account of the stamp duty on 11.5 per cent Maharashtra State Financial Corporation Bonds, 2010 (59th Series) of Rs. 1,000 each bearing serial numbers 1 to 97 bonds in the form of debentures of the face value of rupees eight crores, fifty two lakhs and fifty thousand only to be issued by the said Corporation.

[No. 8/91-Stamp/F. No. 33/14/91-ST]

THAKUR DATT, Dy. Secy.

(आर्थिक कार्य विभाग)

बीमा प्रभाग

नई दिल्ली, 27 फरवरी, 1991

का. आ. 739.—बीमा अधिनियम, 1938 (1938 का 4) की धारा 27 (क) की उपधारा (1) (iii) खंड (थ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, जो दिनांक 23 अगस्त, 1958 की सा. का. नि. सं. 734-वित्त मंत्रालय (राजस्व विभाग), में भारत सरकार की अधिसूचना द्वारा भारतीय जीवन बीमा निगम पर लागू होती है, केन्द्र सरकार एतद्वारा उक्त धारा के प्रयोजन के लिए भारतीय रिजर्व बैंक की स्कीम के अनुसार गैर-बैंकिंग कंपनियों द्वारा जारी किए गए वाणिज्यिक पत्रों के माध्यम से जमा राशियों में धन के नियोजन को "निवेशों की अनुसूची" के रूप में घोषित करती है।

[संख्या 131/3/निवेश/91]

एस. कण्णन, संयुक्त सचिव

(Department of Economic Affairs)

## INSURANCE DIVISION

New Delhi, the 27th February, 1991

S.O. 739.—In exercise of the powers conferred by Clause (q) of Sub-Section (1)(iii) of Section 27A of the Insurance Act, 1938 (4 of 1938) as applied to the Life Insurance Corporation of India by the Notification of the Government of India in the Ministry of Finance (Department of Revenue) No. CSR 734 dated the 23rd August, 1958 the Central Government hereby declares the placement of money in deposits through Commercial Papers issued by non-banking Companies in accordance with the Scheme of Reserve Bank of India as 'Scheduled Investments' for the purpose of the said Section.

[F. No. 131/3/Inv. /91]

S. KANNAN, Jt. Secy.

## बैंकिंग प्रभाग

नई दिल्ली, 22 फरवरी, 1991

का.आ. 740.—भारतीय स्टेट बैंक अधिनियम, 1955 (1955 का 23) की धारा 19 की उपधारा (1) के खंड (ड) की शर्तों के अनुसार केन्द्रीय सरकार एतद्वारा वित्त मंत्रालय, आर्थिक कार्य विभाग (बैंकिंग प्रभाग) के अपर सचिव श्री के. जयभारत रेड्डी को श्री डी. आर. मेहता के स्थान पर भारतीय स्टेट बैंक के केन्द्रीय मण्डल (बोर्ड) में निदेशक नामित करती है।

[संख्या एफ. 9/41/91 - बी. ओ. - I (1)]

(Banking Division)

New Delhi, the 22nd February, 1991

S.O. 740.—In terms of clause (e) of sub-section (1) of Section 19 of the State Bank of India Act, 1955 (23 of 1955), the Central Government hereby nominates Shri K. Jayabharath Reddy, Additional Secretary, Ministry of Finance, Department of Economic Affairs (Banking Division), New Delhi to be the Director of the Central Board of the State Bank of India vice Shri D. R. Mehta.

[No. F. 9/41/91-BO. I(1)]

का.आ. 741.—भारतीय औद्योगिक विकास बैंक अधिनियम, 1964 (1964 का 18) की धारा 6 की उपधारा (1) के खंड (ग) के उपखंड (i) के अनुसरण में केन्द्रीय सरकार एतद्वारा वित्त मंत्रालय, आर्थिक कार्य विभाग (बैंकिंग प्रभाग) नई दिल्ली के अपर सचिव, श्री के. जयभारत रेड्डी को श्री डी. आर. मेहता के स्थान पर भारतीय औद्योगिक विकास बैंक का निदेशक नामित करती है।

[संख्या एफ. 9/41/91 - बी ओ I (2)]

S.O. 741.—In pursuance of sub-clause (i) of clause (c) of sub-section (1) of section 6 of the Industrial Development Bank of India Act, 1964 (18 of 1964), the Central Government hereby nominates Shri K. Jayabharath Reddy, Additional Secretary, Ministry of Finance Department of Economic Affairs (Banking Division), New Delhi as the Director of the Industrial Development Bank of India vice Shri D. R. Mehta.

[F. 9/41/91-BO. I(2)]

का.आ. 742.—राष्ट्रीय कृषि और ग्रामीण विकास बैंक अधिनियम, 1981 (1981 का 61) की धारा 6 की उपधारा (1) के खंड (ड) के उपबन्धों के अनुसरण में केन्द्रीय सरकार एतद्वारा वित्त मंत्रालय, आर्थिक कार्य विभाग (बैंकिंग प्रभाग) नई दिल्ली में अपर सचिव श्री के. जयभारत रेड्डी को श्री डी. आर. मेहता के स्थान पर राष्ट्रीय कृषि और ग्रामीण विकास बैंक का निदेशक नियुक्त करती है।

[सं. एफ. 9/41/91 - बी. ओ. I (3)]

S.O. 742.—In pursuance of clause (e) of sub-section (1) of section 6 of the National Bank for Agriculture and Rural Development Act, 1981 (61 of 1981), the Central Government hereby appoints Shri K. Jayabharath Reddy, Additional Secretary, Ministry of Finance, Department of Economic Affairs (Banking Division), New Delhi as the Director of the National Bank for Agriculture and Rural Development vice Shri D. R. Mehta.

[No. F. 9/41/91-BO. I(3)]

का.आ. 743.—भारतीय निर्यात आयात बैंक अधिनियम, 1981 (1981 का 28) की धारा 6 की उपधारा (1) के खंड (ड) के उपखंड (i) के अनुसरण में केन्द्रीय सरकार एतद्वारा श्री के. जयभारत रेड्डी, अपर सचिव, वित्त मंत्रालय, आर्थिक कार्य विभाग, नई दिल्ली को श्री डी. आर. मेहता के स्थान पर भारतीय निर्यात आयात बैंक के निदेशक मंडल में निदेशक के रूप में मनोनीत करती है।

[संख्या एफ. 9/41/91 - बी. ओ. I (4)]

S.O. 743.—In pursuance of sub-clause (i) of clause (e) of sub-section (1) of section 6 of Export-Import Bank of India Act, 1981 (28 of 1981), the Central Government hereby nominates Shri K. Jayabharath Reddy Additional Secretary, Ministry of Finance, Department of Economic Affairs, New Delhi as a Director of the Board of Directors of the Export-Import Bank of India vice Shri D. R. Mehta.

[No. F. 9/41/91-BO. I(4)]

नई दिल्ली, 28 फरवरी, 1991

का. आ. 744.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) योजना, 1970 के खंड 3 के उपखंड (छ) के अनुसरण में केन्द्रीय सरकार, श्री जी. पी. मुनिअप्पन, संयुक्त मुख्य अधिकारी, बैंकिंग परिचालन और विकास विभाग, भारतीय रिजर्व बैंक, मद्रास को, श्री एम. एल. टी. फर्नांडीस के स्थान पर एतद्वारा इंडियन ओवरसीस बैंक के निदेशक के रूप में नियुक्त करती है।

[सं. एफ. 9/43/91 - बी. ओ. I]

एम. एस. सीतारामन, अव्वर सचिव

New Delhi, the 28th February, 1991

S.O. 744.—In pursuance of sub-clause (g) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government hereby appoints Shri G. P. Muniappan, Joint Chief Officer, Department of Banking Operations and Development, Reserve Bank of India, Madras as a Director of Indian Overseas Bank vice Shri M. L. T. Fernandes.

[F. No. 9/43/91-BO. I]

M. S. SETHARAMAN, Under Secy.

आदेश

नई दिल्ली, 4 मार्च, 1991

का. आ. 745.—सरकार ने यह निर्णय लिया है कि इन्फ्रा-स्ट्रक्चरल लीजिंग एंड फाइनेन्शियल सर्विसेज लिमिटेड के वर्तमान अध्यक्ष, श्री एम. जे. फेरवानी, अगले आदेशों तक के लिए इन्फ्रास्ट्रक्चरल लीजिंग एंड फाइनेन्शियल सर्विसेज लि. के अध्यक्ष पद के वर्तमान पदभार के अतिरिक्त, राष्ट्रीय आवास बैंक के अध्यक्ष एवं प्रबंध निदेशक के पद का कार्यभार भी सम्भालेंगे।

[स. 20/11/88 — बी. ओ. 1]

एन. एन. मुखर्जी, संयुक्त सचिव

ORDER

New Delhi, the 4th March, 1991

S.O. 745.—Government have decided that Shri M. J. Pherwani, presently Chairman, Infrastructure Leasing and Financial Services Limited will hold current charge of the post of Chairman and Managing Director, National Housing Bank in addition to his own duties as Chairman, Infrastructure Leasing and Financial Services Limited until further orders.

[No. F. 20/11/88-BO.I]

N. N. MOOKERJEE, Jr. Secy.

मुख्य आयकर आयुक्त-II का कार्यालय

कलकत्ता, 10 जनवरी, 1991

(संख्या 13/90-91)

का. आ. 746.—मेरे पूर्ववत् आदेश संख्या 8/90-91 दिनांक 16-11-90 के आगे और आयकर अधिनियम, 1961 (1961 का 43) की धारा 120 की उपधारा (1) और (2) द्वारा और केन्द्रीय प्रत्यक्षकर बोर्ड, नई दिल्ली के अधीन जारी फा. सं. 279/121/89 - आई. टी. जे/एम. ओ. संख्या 777(ई) के अधिसूचना संख्या 8748 दिनांक 11-10-90 और इस संबंध में मुझे प्रदान करने वाली अन्य शक्तियों का प्रयोग करते हुए, मैं, मुख्य आयकर आयुक्त-II, कलकत्ता एतद्वारा निदेश देता हूँ कि आयकर अधिनियम, 1961 की धारा 246 की उपधारा (2) के (ए) से (एच) तक, धनकर अधिनियम, 1957 (1957 का 27) की धारा 23 की उपधारा (1ए) के खंड (ए) से (ओ) तक, दानकर अधिनियम, 1958 (1958 का 18) की धारा 22 की उपधारा (1ए) के खंड (ए) से (ई) तक, कंपनी (लाभ) अतिकर अधिनियम, 1964 (1964 का 7) की धारा 11 की उपधारा (1), ब्याज कर अधिनियम 1974 (1974 का 45) की धारा 15 की उपधारा (1)

और व्यय कर अधिनियम, 1987 (1987 का 35) की धारा 22 की उपधारा (1) में वर्णित आदेशों के अनुसार आयकर उपायुक्त, स्पेशल रेंज - 19 कलकत्ता द्वारा आयकर या धनकर या दानकर या अधिकर या ब्याज कर या व्यय कर देने वाले प्रसंगों में निर्धारितियों के संबंध में आयकर आयुक्त (अपील) - 14, उपरोक्त आदेश दिनांक 16-11-90 में दिए गए क्षेत्राधिकार के अतिरिक्त अपना कार्य करेंगे।

2 यह आदेश दिनांक 19-12-90 से लागू है।

[संख्या - स. आ./मुख्या/योजना/30/90-91]

क.के. वीर, मुख्य आयकर आयुक्त-II

OFFICE OF THE CHIEF COMMISSIONER OF  
INCOME TAX-II

Calcutta, the 10th January, 1991

(No. 13/90-91)

S.O. 746.—In continuation of my earlier order No. 8/90-91 dated 16-11-1990 and in exercise of the powers conferred by sub-sections (1) and (2) of Section 128 of the Income Tax Act, 1961 (43 of 1961) and in exercise of powers conferred on me by the Central Board of Direct Taxes, New Delhi, vide its Notification No. 8748 in F. No. 279/121/89-ITJ/s O. No. 777(E) dated 11-10-90 and all other powers enabling me in this behalf, I, the Chief Commissioner of Income Tax-II, Calcutta hereby direct that the Commissioner of Income Tax (Appeals)-XIV in addition to his jurisdiction defined in the above mentioned order dated 16-11-1990 shall also function in respect of all persons assessed to Income Tax or Wealth tax or Gift Tax or Sur-tax or Interest Tax or Expenditure Tax by the Deputy Commissioner of Income Tax, Special Range-19, Calcutta as are aggrieved by any order passed by the said Deputy Commissioner of Income Tax, Special Range-19, Calcutta, mentioned in clauses (a) to (h) of sub-section (2) of Section 246 of the Income Tax Act, 1961, clauses (a) to (o) of sub-section (1A) of Section 23 of the Wealth Tax Act, 1957 (27 of 1957), clauses (a) to (e) of sub-section (1A) of Section 22 of the Gift Tax Act, 1958 (18 of 1958), sub-section (1) of Section 11 of the Companies (Profit) Sur-tax Act, 1964 (7 of 1964), sub-section (1) of Section 15 of the Interest Tax Act, 1974 (45 of 1974) and sub-section (1) of Section 22 of the Expenditure Tax Act, 1987 (35 of 1987).

2 This Notification takes effect from 19-12-1990.

[No. AC/HQ/Planning/30/90-91]

K. K. VEER, Chief Commissioner

कलकत्ता, 23 जनवरी, 1991

(संख्या 14/90-91)

का. आ. 747.—अधिसूचना संख्या 8/89-90 दिनांक 8-8-89 का आंशिक संशोधन करते हुए और आयकर अधिनियम, 1961 की धारा 120 की उपधारा (1) और (2) द्वारा और इस संबंध में मुझे प्रदान करने वाली अन्य शक्तियों का प्रयोग करते हुए, मैं मुख्य आयकर आयुक्त, कलकत्ता एतद्वारा, अधिसूचना संख्या 8/89-90 दिनांक 8-8-89 आपन संख्या आ. आ./मुख्या. (तक)/345/89-90 5670-6369 दिनांक 8-8-89 की संलग्न अनुसूची के समर्थ

3 में उल्लिखित वार्ड - 21 (6) के क्षेत्राधिकार में निम्न-  
लिखित संशोधन करता हूँ :—

अनुसूची		
1	2	3
आ. आ. प. रेंज - 21 के ब. 7 कल. के अधीन वार्डों अधीन रेंज	क्षेत्राधिकार	
आयकर आयुक्त आ. अ. (सां. रेंज-21, पर क.क. वार्ड-21 कलकत्ता (6)	आ. अ., वार्ड-2 (6) इस कार्यालय के अधिसूचना संख्या 8/89-90 दिनांक (ज्ञापन संख्या अ. मुख्या (तक.)/345/ 89-90/5670 - 6369 दिनांक 8-8-89) में निहित क्षेत्राधिकार के अतिरिक्त उन सभी मामलों का क्षेत्राधिकार सभालेंगे जहाँ पश्चिम बंगाल सर- कार द्वारा अथवा पश्चिम बंगाल सरकार की ओर से आयकर अधिनियम 1961 के माध्यम 17 ख के सभी धारा (धार	

195 को छोड़कर) के  
अधीन कटौती करेगा  
उक्त आ. अ., वार्ड-21  
(6) आयकर अधिनियम  
1961 की धारा 201 की  
उपधारा (1) और धारा  
221 में निहित शक्तियों  
का प्रयोग भी पश्चिम  
बंगाल सरकार अथवा  
पश्चिम बंगाल सरकार  
की ओर से आ. क.  
अधिनियम की धारा  
192, 193, 194क  
194 ख, 194 खख,  
194ग, 194घ, 194 ई  
और 194च के प्रावधान  
अनुसार स्त्रोत पर  
कर की कटौती के बारे  
में करेंगे।

यह आदेश तारीख 1-2-1991 से लागू होगा।

[सं. सा. आ. /मुख्या./ (योजना/345/89-91)]

डा. एन. आर. शिवस्वामी,  
मुख्य आयकर आयुक्त,

Calcutta, the 23rd January, 1991

(No. 14/90-91)

SO. 747.-In partial modification of the Notification No. 8/89-90 dated 8-8-89 and in exercise of powers conferred under sub-sec.(1) and (2) of Section 128 of the Income Tax Act, 1961 and all other powers enabling me in this behalf, I, the Chief Commissioner of Income Tax, Calcutta, hereby make the following amendments to the jurisdiction assigned to the Ward. 21(6) as mentioned in column 3 of the Schedule appended to the Notification No. 8/89-90 dt. 8-8-89 (Memo No. ITO/HQ(Tech)/34535/89-90/5670-6369 dated 8-8-89).

#### SCHEDULE

Range under CIT.WB-VII. Cal.	Wards under Range-21.	Jurisdiction
1	2	3
Deputy Commissioner, Range-21, Cal.	I.T.O. (TDS) Ward-21(6).	In addition to the jurisdiction already vested under this office Notification No 8/89-90 dt. 8-8-89 (Memo No. ITC Hq(Tech)/345/89-90/5670-6369 dt. 8-8-89), the ITO, Ward-21(6) will als hold jurisdiction over all matters relatn

to deductions made by the Govt. of West Bengal or on behalf of the Govt. of West Bengal under all the Sections in Chapter-XVIII (except Sec. 195) of the I.T. Act, 1961. The said ITO, Ward 21(6) will also exercise powers vested under sub-section (1) of Section 201 and Section 221 of the I.T. Act, 1961 relating to deductions of tax at source made by the Govt. of West Bengal or on behalf of the Govt. of West Bengal as per provisions of Sections 192, 193, 194, 194A, 194B, 194BB, 194C, 194D, 194E & 194F of the I.T. Act, 1961.

This order shall come into force on and from 1-2-1991.

[No. AC/Hqrs. (Planning)/345/89-90]

DR. N. R. SIVASWAMY, Chief Commissioner of Income Tax

पेट्रोलियम एवं रसायन मंत्रालय

(रसायन और पेट्रोर्सायन विभाग)

नई दिल्ली, 27 फरवरी, 1991

क्र.आ. 748 --यह पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) के अधीन भारत सरकार के उद्योग मंत्रालय, रसायन और पेट्रोर्सायन विभाग की अधिसूचना का आ. 1950 तारीख 11/7/1990 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाईप लाइन बिछाने के प्रयोजन के लिये अर्जित करने का अपना आशय घोषित कर दिया था।

और अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्टें द दी हैं।

और अग्रे यह भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करने हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईप लाइन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करने हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार, भारत सरकार से निहित होने के बजाय, इंडियन पेट्रोकेमिकल्स कार्पोरेशन लिमिटेड, महाराष्ट्र गैस फ्रेजर कॉम्प्लेक्स विभाग, विनेपार्ले प. मध्वर्द्ध से सभी बाधाओं से मुक्त रूप से घोषणा के प्रकाशन की तारीख से निहित होगी।

अनुसूची

पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 की धारा 6 की उपधारा (1) अधिसूचना क्रमांक तारीख की अनुसूची

अ. नं.	गांव का नाम	तहसील	जिला	सर्वे नंबर	दिखाता नंबर	गट नंबर	क्षेत्र है	आर
1	2	3	4	5	6	7	8	9
1.	नवखार-तर्फ-रायदे	अलिबाग	रायगढ़	5	2 (पे)	---	0-10	0
---	---	---	---	5	4(1) (पे)	---	0-04	0

1	2	3	4	5	6	7	8
रायंदे	"	"	6	1	(पै)	---	0-05.0
---	"	"	6	2	(पै)	---	0-01.5
2. ---	"	"	9	2A	(पै)	---	0-07.0
3. चरि	"	"	48	4A	(पै)	---	0-02.7
4. सतिजे	"	"	106	1	(पै)	---	0-03.0
सतिजे	"	"	130	2	(पै)	---	0-01.7

[स. 34027/1/87-पी.सी.-III]

## MINISTRY OF PETROLEUM AND CHEMICALS

(Department of Chemicals and Petrochemicals)

New Delhi, the 27th February, 1991

S.O. 748.—Where by a Notification of Government of India in the Ministry of Industry (Department of Chemicals and Petrochemicals) No. S.O. 1950 dated the 11-07-1990 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the Right of User in the Lands, specified in the schedule appended to that notification for the purpose to the Government

And, whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government.

Further the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act the Central Government thereby declares that schedule appended to this notification is hereby acquired for laying the pipelines.

And, further, in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Petrochemicals Corporation Limited, Maharashtra Gas Cracker Complex Division, Vile Parle (W), Bombay free from all encumbrances.

## SCHEDULE

Schedule to Notification under Section 6(1) of the Petroleum and Minerals Pipelines (Acquisition of Right of user in land) Act, 1962.

S. No.	Name of Village	Tahsil	District	Survey	Hissa No.	Gat No.	Area	
							H	R
1.	Navkhar-Tarf-Rayande	Alibag	Raigad	5	2(P)	—	0	10.0
	-do-	"	"	5	4(1)(P)	—	0	04.0
	-do-	"	"	6	1(P)	—	0	05.0
	-do-	"	"	6	2(P)	—	0	01.5
2.	Rayande	"	"	9	2A(P)	—	0	07.0
3.	Chari	"	"	48	4A(P)	—	0	02.7
4.	Satirje	"	"	106	1(P)	—	0	03.0
		"	"	130	2(P)	—	0	01.7

[No. 34027/1/87-PC III]

का.आ. 749:—यतः पेट्रोलियम और खनिज पाईपलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) के अधीन भारत सरकार के उद्योग मंत्रालय, रसायन और पेट्रोलियम विभाग की अधिसूचना का.आ. 1951 से 1953 तारीख 11-7-1990 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाईप लाईन बिछाने के प्रयोजन के लिये अर्जन करने का अपना आशय घोषित कर दिया था।

और अब सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।



और आगे यह: भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईप लाईन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार, भारत सरकार में निहित होने के बजाय; इंडियन पेट्रोकैमिकल्स कॉर्पोरेशन लिमिटेड, महाराष्ट्र गैस क्रकर कॉम्प्लेक्स विभाग, विलेपार्लो प. मुम्बई में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहीत होगा।

#### अनुसूची

पेट्रोलियम और खनिज पाईपलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 की धारा 6 की उपधारा (1) अधिसूचना क्रमांक तारीख की अनुसूची

अ.नं.	गांव का नाम	तहसील	जिला	सर्वे नम्बर	हिस्सा नम्बर	शट नम्बर	क्षेत्र	
							हे.	आर.
1	2	3	4	5	6	7		
1. बावै	पेण	रायगढ़	168	1 (वे)	—	0-04.0		
"	"	"	164	1 (वे)	—	0-04.5		
2. वडखल	"	"	15	7 (वे)	—	0-01.2		
3. "	"	"	19	1 (वे)	—	0-02.0		
"	"	"	19	3 (वे)	—	0-01.5		
"	"	"	20	2 (वे)	—	0-02.0		
"	"	"	25	2 (वे)	—	0-02.5		
3. कांढले	"	"	—	—	78(वे)	0-00.5		
4. उचेडे	"	"	20	2/3 (वे)	—	0-03.5		
5. वरेडी	"	"	50	1 (वे)	—	0-01.7		
"	"	"	66	2अ (वे)	—	0-00.2		
"	"	"	5	1क (वे)	—	0-03.0		
"	"	"	5	1ब (वे)	—	0-02.0		
6. डोलवीर बवाबा	"	"	37	9 (वे)	—	0-01.2		
"	"	"	37	4ब (वे)	—	0-00.5		
"	"	"	37	6 (वे)	—	0-00.2		
7. खार लुर्तफा- बोली	"	"	191	1-ब-1 (वे)	—	0-02.5		
"	"	"	189	4 (वे)	—	0-00.2		
"	"	"	200	2क (वे)	—	0-00.5		
8. उंबडे	"	"	235	2 (वे)	—	0-00.2		
9. धोंडपाडा	"	"	48	2ब (वे)	—	0-00.5		

1	2	3	4	5	6	7	8	9
10.	साई	पन्वेल	रायगढ़	260	4	(१)	—	0-01.2
	"	"	"	243	5	(१)	—	0-00.5
	"	"	"	245	1	(१)	—	0-00.2
11.	दिघाटी	"	"	85	7	(१)	—	0-08.5
	"	"	"	85	0	(१)	—	0-00.2
	"	"	"	32	1	(१)	—	0-03.2
	"	"	"	87	13	(१)	—	0-02.0
	"	"	"	7	7	(१)	—	0-01.05
12.	भोम	उरण	"	21	1-अ-1	(१)	—	0-02.8
13.	चिखली- भोम	"	"	17	3	(१)	—	0-03.4

[सं. 34027/1/87-सी. सी.-III]

S.O. 749.—Whereas by a Notification of Government of India in the Ministry of Industry (Department of Chemicals and Petrochemicals) No. S.O. 1951 to 1953 dated the 11-07-1990 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the Right of User in the Lands, specified in the schedule appended to that notification for the purpose to the Government.

And, whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government.

Further the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Sec. 6 of the said Act the Central Government thereby declares that schedule appended to this notification is hereby acquired for laying the pipelines.

And further, in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Petrochemicals Corporation Limited, Maharashtra Gas Cracker Complex Division, Vile Parle, (W), Bombay free from all encumbrances

### SCHEDULE

Schedule to Notification under Section 6(1) of the Petroleum and Minerals Pipelines (Acquisition of Right of user in land) Act, 1962.

S. No.	Name of Village	Tahsil	District	Survey No.	Hissa No.	Gat No.	Area	
							H	R
1	2	3	4	5	6	7	8	9
1.	Wave	Pen	Raigad	168	1(P)	—	0	04.0
		"	"	164	1(P)	—	0	04.5
2.	Wadkhal	"	"	15	7(P)	—	0	01.2
		"	"	19	1(P)	—	0	02.0
		"	"	19	3(P)	—	0	01.5
		"	"	20	2(P)	—	0	02.0
		"	"	25	2(P)	—	0	02.5
3.	Kandale	"	"	—	—	78(P)	0	00.5
4.	Uchede	"	"	20	2/3(P)	—	0	03.5
5.	Waredi	"	"	50	1(P)	—	0	01.7
		"	"	66	2A(P)	—	0	00.2
		"	"	5	1.C(P)	—	0	03.0
		"	"	5	1.B(P)	—	0	02.0

1	2	3	4	5	6	7	8	9
6. Dolavi-Dababa	Pen	(Raigar	37	9(P)	—	0	01.2	
	"	"	37	4B(P)	—	0	00.5	
	"	"	37	6(P)	—	0	00.2	
7. Khar-Dutarfa-Borli	"	"	191	1-B-1(P)	—	0	02.5	
	"	"	189	4(P)	—	0	00.2	
	"	"	200	2.C(P)	—	0	00.5	
8. Umbarde	"	"	235	2(P)	—	0	00.2	
9. Dhondpada	"	"	48	2B(P)	—	0	00.5	
10. Sai	Panvel	"	260	4(P)	—	0	01.2	
"	"	"	243	5(P)	—	0	00.5	
"	"	"	245	1(P)	—	0	00.2	
11. Dighati	"	"	85	7(P)	—	0	08.5	
"	"	"	85	0(P)	—	0	00.2	
"	"	"	32	1(P)	—	0	03.2	
"	"	"	87	13(P)	—	0	02.0	
"	"	"	7	7(P)	—	0	01.5	
12. Bhom	Uran	"	21	1-A-1(P)	—	0	02.8	
13. Chikhali-Bhom	"	"	17	3(P)	—	0	03.4	

[No. 34027/1/87-PC-III]

का.आ. 750 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि महाराष्ट्र राज्य में गांव शिवाजीनगर तहसील पनवेल जिला रायगढ़ से गांव बेणसे तहसील पेण जिला रायगढ़ तक पेट्रोलियम तेल अथवा नैसर्गिक गैस अथवा एप्लायंड अथवा अन्य खनिज पदार्थों के परिवहन के लिए, पाइपलाइन, इंडियन पेट्रोकेमिकल्स कॉर्पोरेशन लिमिटेड, महाराष्ट्र गैस अंकर कॉम्प्लेक्स विभाग, बिलेपाल (प.), मुंबई, द्वारा बिछाई जानी चाहिये।

और अतः यह प्रतीत होता है कि, ऐसी लाईनों को बिछाने के प्रयोजन के लिए एतद्पाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है। वशर्ते की उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए, आक्षेप सक्षम प्राधिकारी, इंडियन पेट्रोकेमिकल्स कॉर्पोरेशन लिमिटेड, महाराष्ट्र गैस अंकर कॉम्प्लेक्स, नागोठणे तहसील रोहा, जिला रायगढ़ को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट यह भी कथन करेगा की क्या वह चाहता है कि, उसकी सुनवाई व्यक्तिगत, हो या किसी विधि व्यवसायी की मार्फत।

## अनुसूची

पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 की धारा की उप-धारा (1) अधिसूचना क्रमांक तारीख की अनुसूची।

अ.नं.	गांव का नाम	तहसील	जिला	सर्वे.नंबर	हिस्सा नं.	गट नं.	क्षेत्र हे. आर.
1	2	3	4	5	6	7	
1.	शहाबाज	अलिबाग	रायगढ़	208	1 पै	—	0-05.0
2.	"	"	"	208	3 पै	—	0-00.5
3.	"	"	"	220	6 पै	—	0-11.6
4.	"	"	"	231	1 पै	—	0-01.9

[सं० 34027/1/87-पी.सी. III]

S.O. 750.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum, oil, natural gas, effluent or any mineral from village Shivaji Nagar, Tahsil Panvel, District Raigad to village Bense, Tahsil Pen, District Raigad in the State of Maharashtra, Pipelines should be laid through the agency of Indian Petrochemicals Corporation Limited, Maharashtra Gas Cracker Complex Division, Vile Parle (W), Bombay.

And, whereas, it appears to the Central Government that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the lands described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals

Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby notify their intention to acquire the right of user in the lands referred to in the schedule;

Any person interested in the said lands having any objection for laying the pipelines through the said lands may prefer an objection within 21 days from the date of the notification, to the Competent Authority, Indian Petrochemicals Corporation Limited, Maharashtra Gas Cracker Complex Division, Nagothane, Tahsil Roha, District Raigad.

And every person making such an objection shall state specifically whether he wishes to be heard in person or by a legal practitioner.

### SCHEDULE

Schedule to Notification under Section 3(1) of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act 1962.

S. No.	Name of Village	Tahsil	District	Survey No.	Hissa No.	Gat No.	Area	
							H.	R.
1.	Shahabaj	Alibag	Raigad	208	1(P)	—	0	05.0
2.	"	"	"	208	3(P)	—	0	00.5
3.	"	"	"	220	6(P)	—	0	11.6
4.	"	"	"	231	1(P)	—	0	01.9

[No. 34027/1/87-PC-III]

का.आ. 751 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि, लोकहित में यह आवश्यक है की महाराष्ट्र राज्य में गांव धोकवडे तहसील अलिबाग जिला रायगड से गांव बेणसे तहसील पेण जिला रायगड तक पेट्रोलियम तेल अथवा नैसर्गिक गैस अथवा एप्लायड अथवा अन्य खनिज पदार्थों के परिवहन के लिए, पाइपलाइन, इंडियन पेट्रोकेमिकल्स कॉर्पोरेशन लिमिटेड, महाराष्ट्र गैस क्रंकर कॉम्प्लेक्स विभाग, विलेपार्ले (प.), मुंबई, द्वारा बिछाई जानी चाहिये।

और अतः यह प्रतीत होता है कि, ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतदपाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है। बशर्ते की उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, इंडियन पेट्रोकेमिकल्स कॉर्पोरेशन लिमिटेड, महाराष्ट्र गैस क्रंकर कॉम्प्लेक्स, नागोठणे तहसील रोहा, जिला रायगड को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट यह भी कथन करेगा की क्या वह चाहता है कि, उसकी सुनवाई व्यक्तिशः हो या किसी विधि व्यवसायी की मार्फत।

### अनुसूची

पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 की धारा 3 की उपधारा (1) अधिसूचना क्रमांक तारीख की अनुसूची

अ.नं.	गांव का नाम	तहसील	जिला	सर्वे नंबर	हिस्सा नं.	गट नं.	क्षेत्र	
							है	आर
1.	बामणसुरे	अलिबाग	रायगड	24	1	पै	—	0-02.0

(ल.नि. नातृ)

सक्षम प्राधिकारी

आयपीसीएल/एमजीसीसी

पाइपलाइन-नागोठणे

[अं. 34027 1 87-पी.सी. III]

S.O. 751.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum, oil, natural gas, effluent or any mineral from village Dhokawade Thasil Alibag District Raigad to village Bense, Tahsil Pen, District Raigad in the State of Maharashtra, Pipelines should be laid through the agency of Indian Petrochemicals Corporation Limited, Maharashtra Gas Cracker Complex Division, Vile Parle (W), Bombay.

And, whereas, it appears to the Central Government that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the lands described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (i) of Section 3 of the Petroleum and Minerals

Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby notify their intention to acquire the right of user in the lands referred to in the schedule;

Any person interested in the said lands having any objection for laying the pipelines through the said lands may prefer an objection within 21 days from the date of the notification, to the Competent Authority, Indian Petrochemicals Corporation Limited, Maharashtra Gas Cracker Complex Division, Nagthane, Tahsil Roha, District Raigad.

And every person making such an objection shall state specifically whether he wishes to be heard in person or by a legal practitioner.

### SCHEDULE

Schedule to Notification under Section 3(1) of the Petroleum and Minerals Pipelines (Acquisition of right of user in Land) Act, 1962.

S. No.	Name of Village	Tahsil	District	Survey	Hissa No.	Gat No.	Area	
							H.	R.
1.	Bamansure	Alibagh	Raigad	4	1(P)	—	0	02.0

[No. 34027/1/87-PC-III]

### शुद्धि-पत्र

का.आ. 752.—निम्नलिखित अनुसूची में रकाना 1 से 9 में लिखे हुए शब्दों और संख्या भारत सरकार की अधिसूचना नं. का.आ. 515 तारीख 2-2-1988 भारत का राजपत्र भाग II खंड 3 उपखंड(ii) तारीख 12-3-88 प्रणु 622 से 625 प्रसारित हुए अधिसूचना की अनुसूची में छपे हैं। इससे बजह निम्नलिखित अनुसूची रकाना 10 से 18 में लिखे हुए शब्दों और संख्या पढ़ना।

### प्रसारित किया गया वर्णन

अ. गांव का नाम नं.		तहसील	जिला	सं. नं.	हि. नं.	गेट नं.	क्षेत्र	
							है.	आर.
1	2	3	4	5	6	7	8	9
1.	श्रीगांव	अलिबाग	रायगढ़	35	6अ + ब + 6क पै	—	0—19.2	
2.	”	”	”	35	5 पै	—	0—02.5	

### प्रसारित होने का वर्णन

अ. गांव का नाम नं.	तहसील	जिला	सं. नं.	हि. नं.	गेट नं.	क्षेत्र	
						हे.	आर.
10	11	12	13	14	15	16	17 18
1. श्रीगांव	अलिबाग	रायगढ़	35	6अ + 6ब + 6क पै	—	—	18.4
2. ”	”	”	35	इपै	—	—	05-02.5

[स. 34027/1/87-पी सी-III]

## CORRIGENDA

S.O.752.—Read words and figures shown in columns 1 to 9 to the schedule given below appearing in the schedule annexed to the Government of India Notification No. S.O. 515 dated 2nd Feb. 1988 published in the Gazette of India Part II Section 3 Sub-Section (ii) dated 12th March, 1988 on pages 622 to 625 as “word & figures” shown in columns 10 to 18 to the schedule given below.

## SCHEDULE

Sr. No.	Name of the village	Tahsil	District	Survey	Hissa No.	Gat No.	Area	
							H	Ars
1	2	3	5	6	6	7	8	9
1. Shrigaon		Alibagh	Raigad	35	6A + 6B + 6C(P)	—	0	19.2
2.		„	„	35	5(P)	—	0	02.5

Sr. No.	Name of the village	Tahsil	District	Survey	Hissa No.	Gat No.	Area	
							H	Ars
10	11	12	13	14	15	16	17	18
1. Shrigaon		Alibagh	Raigad	35	6A + 6B + 6C(P)	—	0	18.4
2.	„	„	„	35	6E(P)	—	0	02.5

[No. 34027/1/87-PC. III]

## शुद्धि-पत्र

का.आ. 753—निम्नलिखित अनुसूची में रकाना 1 से 9 में लिखे हुए शब्दों और संख्या भारत सरकार की अधिसूचना न. का.आ. 515 तारीख 2-2-88 भारत का राजपत्र भाग II खंड 3 उपखंड (ii) तारीख 12-3-88 पृष्ठ 622 से 625 प्रसारित हुए अधिसूचना की अनुसूची में छपे हैं। इससे वजह निम्नलिखित अनुसूची रकाना 10 से 18 में लिखे हुए शब्दों और संख्या पढ़ना।

## प्रसारित किया गया वर्णन

अ. गांव का नाम न.	तहसील	जिला	स.न.	हि.न.	गेट न.	क्षेत्र		
						हे.	आर.	
1	2	3	4	5	6	7	8	9
1. कालवड	अलिबाग	रायगढ़	35	0 पै	—		002.2	
2.     "	"	"	38	4अ पै	—		0-02.0	

## प्रसारित होने का वर्णन

अ. गांव का नाम न.	तहसील	जिला	स.न.	हि. न.	गेट न.	क्षेत्र	
						हे.	आर.
10	11	12	13	14	15	16	17 18
1. कालवड	अलिबाग	रायगढ़	35	1 पै	—	0-04.5	
2. "	"	"	38	4अ पै	—	0-03.0	

[सं. 34027 1 87-पी सी-III]

## CORRIGENDA

S.O.753.—Read words and figures shown in columns 1 to 9 to the schedule given below appearing in the schedule annexed to the Government of India Notification No. S.O. 515 dated 2nd Feb., 1988 published in the Gazette of India Part II Section 3 Sub section (ii) dated 12th March 1988 on pages 622 to 625 as "words & figures" shown in columns 10 to 18 to the schedule given below.

## SCHEDULE

Sr. No.	Name of the village	Tahsil	District	Survey No.	Hissa No.	Gat No.	Area	
							H.	Ars
1	2	3	4	5	6	7	8	9
1. Kalwad		Alibag	Raigad	35	0 (P)	—	0	02.2
2. "		"	"	38	4A (P)	—	0	02.0

Sr. No.	Name of the village	Tahsil	District	Survey No.	Hissa No.	Gat No.	Area	
							H.	Ars
10	11	12	13	14	15	16	17	18
1. Kalwad		Alibag	Raigad	35	1 (P)	—	0	04.5
2. "		"	"	38	4A (P)	—	0	03.0

[No. 34027/1/87-PC-III]

## शुद्धि-पत्र

का.प्रा. 754:—निम्नलिखित अनुसूची में रकाना 1 से 9 में लिखे हुए शब्दों और संख्या भारत सरकार की अधिसूचना न का.प्रा. 512 तारीख 2 फरवरी, 1988 भारत का राजपत्र, भाग II, खंड 3, उपखण्ड (ii) तारीख 12 मार्च, 1988 पृष्ठ 618 से 619 प्रसारित हुए अधिसूचना की अनुसूची में छपे हैं। इससे वजह निम्नलिखित अनुसूची रकाना 10 से 18 में लिखे हुए शब्दों और संख्या पढ़ना।

## प्रसारित किया गया वर्णन

अ. गांव का नाम न.	तहसील	जिला	स.नं.	हि. नं.	गट नं.	क्षेत्र	
						हे.	आर.
1	2	3	4	5	6	7	8 9
1. बामणसुरे	अलिबाग	रायगढ़	23	1 पै	—		0-02.2
2. "	"	"	24	2 पै	—		0-05.5
3. "	"	"	24	3 पै	—		0-09.1
4. "	"	"	25अ	0 पै	—		0-33.5
5. "	"	"	15	1 पै	—		0-16.9
6. "	"	"	15	2 पै	—		0-06.8
7. "	"	"	31	1 पै	—		0-02.7
8. "	"	"	31	2 पै	—		0-88.2

## प्रसारित होने का वर्णन

अ. गांव का नाम न.	तहसील	जिला	स.नं.	हि. नं.	गट नं.	क्षेत्र	
						हे.	आर.
10	11	12	13	14	15	16	17 18
1. बामणसुरे	अलिबाग	रायगढ़	23	1 + 2/2 ब पै	—		0-00.2
2. "	"	"	24	2 पै	—		0-06.5
3. "	"	"	24	3 अ पै	—		0-07.5
4. "	"	"	25अ	0 पैट	—		0-51.0
5. "	"	"	15	1 पै	—		0-10.0
6. "	"	"	15	2 पै	—		0-02.0
7. "	"	"	31 अ	1 पै	—		0-02.7
8. "	"	"	31 अ	2 पै	—		0-00.2



## CORRIGENDUM

S.O. 754 :—Read words and figures shown in columns 1 to 9 to the schedule given below appearing in the schedule annexed to the Government of India Notification No. S.O. 512 dated 2nd February, 1988 published in the Gazette of India Part II Section 3 Sub-Section (ii) dated 12th March, 1988 on pages 618 to 619 as "words and figures" shown in columns 10 to 18 to the schedule given below

## SCHEDULE

Sr. No.	Name of the village	Tahsil	District	Survey No.	Hissa No.	Gat No.	Area	
							H.	Ars.
1	2	3	4	5	6	7	8	9
1.	Bamansure	Alibag	Raigad	23	1(P)	—	0-02.2	
2.	"	"	"	24	2(P)	—	0-05.5	
3.	"	"	"	24	3(P)	—	0-09.1	
4.	"	"	"	25A	0(P)	—	0-33.5	
5.	"	"	"	15	1(P)	—	0-16.9	
6.	"	"	"	15	2(P)	—	0-06.8	
7.	"	"	"	31	1(P)	—	0-02.7	
8.	"	"	"	31	2(P)	—	0-00.2	

Sr. No.	Name of the Village	Tahsil	District	S. No.	H. No.	Gat No.	Area	
							H.	Ars.
10	11	12	13	14	15	16	17	18
1.	Bamansure	Alibag	Raigad	23	1+2(P)	—	0-00.2	
2.	"	"	"	24	2(P)	—	0-06.5	
3.	"	"	"	24	3A(P)	—	0-07.5	
4.	"	"	"	25A	0(P)	—	0-51.0	
5.	"	"	"	15	1(P)	—	0-10.0	
6.	"	"	"	15	2(P)	—	0-02.0	
7.	"	"	"	31A	1(P)	—	0.02.7	
8.	"	"	"	31A	2(P)	—	0-00.2	

[No. 34027/1/87-PC-III]

## शब्द-पत्र

का.आ. 755 —निम्नलिखित अनुसूची में रकाना 1 से 9 में लिखे हुए शब्दों और संख्या भारत सरकार की अधिसूचना नं. का.आ. 1219 तारीख 4 अप्रैल, 1988 भारत का राजपत्र भाग II खंड 3 उपखण्ड(ii) तारीख 16 अप्रैल, 1988 पृष्ठ 1642 से 1648 प्रसारित हुए अधिसूचना की अनुसूची में छपे हैं। इसमें वजह निम्नलिखित अनुसूची रकाना 10 से 18 में लिखे हुए शब्दों और संख्या पढ़ना।

## प्रसारित किया गया वर्णन

अ. नं.	गांव का नाम	तहसील	जिला	स. नं.	हि. नं.	गेट नं.	क्षेत्र	
							हे.	आर.
1	2	3	4	5	6	7	8	9
1	धेरुड	अलिबाग	रायगढ़	70	1 पै	—	0-13	4
2	"	"	"	49	3 पै	—	0-17	9
3	"	"	"	49	2 ब पै	—	0-01	0
4	"	"	"	49	1 पै	—	0-01	0

1	2	3	4	5	6	7	8	9
5.	घेरंड	अलिबाग	रायगड	50	1(1) पै	—	0-06.0	
6.	"	"	"	50	1(2) पै	—	0-13.6	
7.	"	"	"	56	4 पै	—	0-01.0	
8.	"	"	"	55	5 पै	—	0-18.2	
9.	"	"	"	55	4 पै	—	0-13.1	
10.	"	"	"	54	1 पै	—	0-12.1	
11.	"	"	"	54	4 पै	—	5-04.0	
12.	"	"	"	54	2 पै	—	0-01.0	
13.	"	"	"	53	1 अपै	—	0-02.5	
14.	"	"	"	38	4 पै	—	0-14.9	
15.	"	"	"	38	2 ब पै	—	0-11.3	
16.	"	"	"	55	3 पै	—	0-00.5	
17.	"	"	"	38	3 पै	—	0-00.5	
18.	"	"	"	38	2 अप पै	—	0-00.5	
19.	"	"	"	30	5 पै	—	0-01.0	

## प्रसारित होने का वर्णन

प्र. गाँव का नाम तहसील नं.		जिला	स.न.	हि. न.	गट नं.	क्षेत्र हे. आर.	
10	11	12	13	14	15	16	17 18
1.	घेरंड	अलिबाग	रायगड	70	1 पै	—	0-08.0
2.	"	"	"	49	3 पै	—	0-15.4
3.	"	"	"	49	2ब पै	—	0-03.5
4.	"	"	"	49	1अ पै	—	0-00.5
5.	"	"	"	50	11 पै	—	0-19.0
6.	"	"	"	50	1(2) पै	—	0-04.6
7.	"	"	"	56	4 पै	—	0-00.5
8.	"	"	"	55	5 पै	—	0-17.0
9.	"	"	"	55	4 पै	—	0-07.5
10.	"	"	"	54	1 पै	—	0-07.0
11.	"	"	"	54	4 पै	—	0-14.0
12.	"	"	"	54	2 पै	—	0-14.0
13.	"	"	"	53	1अ पै	—	0-08.0
14.	"	"	"	38	4 पै	—	0-10.0
15.	"	"	"	38	2ब पै	—	0-04.5
16.	"	"	"	55	3 पै	—	कम किया
17.	"	"	"	38	3 पै	—	"
18.	"	"	"	38	2अ पै	—	"
19.	"	"	"	30	5 पै	—	"

## CORRIGENDA

S.O. 755 :—Read words and figures shown in columns 1 to 9 to the schedule given below appearing in the schedule annexed to the Government of India Notification No. S.O. 1219 Dated 4th April, 1988 published in the Gazette of India Part II Section 3 Sub-Section (ii) dated 16th April, 1988 on pages 1642 to 1648 as “words & figures” shown in columns 10 to 18 to the schedule given below.

## SCHEDULE

Sr. No.	Name of the Village	Tahsil	District	Survey No.	Hissa No.	Gat No.	Area	
							H.	Ars.
1	2	3	4	5	6	7	8	9
1.	Dherand	Alibag	Raigad	70	1(P)	—	0-13.4	
2.	„	„	„	49	3(P)	—	0-17.9	
3.	„	„	„	49	2B(P)	—	0-01.0	
4.	„	„	„	49	1(P)	—	0-01.0	
5.	„	„	„	50	1(1)(P)	—	0-06.0	
6.	„	„	„	50	1(2)(P)	—	0-13.6	
7.	„	„	„	56	4(P)	—	0-01.0	
8.	„	„	„	55	5(P)	—	0-18.2	
9.	„	„	„	55	4(P)	—	0-13.1	
10.	„	„	„	54	1(P)	—	0-12.1	
11.	„	„	„	54	4(P)	—	0-04.0	
12.	„	„	„	54	2(P)	—	0-01.0	
13.	„	„	„	53	1A(P)	—	0-02.5	
14.	„	„	„	38	4(P)	—	0-14.9	
15.	„	„	„	38	2B(P)	—	0-11.3	
16.	„	„	„	55	3(P)	—	0-00.5	
17.	„	„	„	38	3(P)	—	0-00.5	
18.	„	„	„	38	2A(P)	—	0-00.5	
19.	„	„	„	30	5(P)	—	0-01.0	

## SCHEDULE

Sr. No.	Name of the Village	Tahsil	District	S. No.	H. No.	Gat No.	Area	
							H.	Ars.
10	11	12	13	14	15	16	17	18
1.	Dherand	Alibag	Raigad	70	1(P)	—	0-08.0	
2.	„	„	„	49	3(P)	—	0-15.4	
3.	„	„	„	49	2B(P)	—	0-03.5	
4.	„	„	„	49	1A(P)	—	0-00.5	
5.	„	„	„	50	1(1)(P)	—	0-19.0	
6.	„	„	„	50	1(2)(P)	—	0-04.6	
7.	„	„	„	56	4(P)	—	0-00.5	
8.	„	„	„	55	5(P)	—	0-17.0	
9.	„	„	„	55	4(P)	—	0-07.5	

1	2	3	4	5	6	0	9
10.	Dharand	Alibag	Raigad	54	1(P)	—	0-07 0
11.	„	„	„	54	4(P)	—	0-14-0
12.	„	„	„	54	2(P)	—	0-14-0
13.	„	„	„	53	1A(P)	—	0-08.0
14.	„	„	„	38	4(P)	—	0-10.0
15.	„	„	„	38	2B(P)	—	0-04.5
16.	„	„	„	38	3(P)	—	Deleted
17.	„	„	„	38	3(P)	—	Deleted
18.	„	„	„	38	2A(P)	—	Deleted
19.	„	„	„	30	5(P)	—	Deleted

[No. 34027/1/87-P.C.-III]

## शुद्धि-पत्र

का.प्र. 756.—निम्नलिखित अनुसूची में खाना 1 से 9 में लिखे हुए शब्दों और संख्या भारत सरकार की अधिसूचना नं. का. प्र. 1219 तारीख 4 अप्रैल, 1988 भारत का राजपत्र भाग II खंड 3 उपखंड(ii) तारीख 16 अप्रैल, 1988 पृष्ठ 1642 से 1648 प्रसारित हुए अधिसूचना की अनुसूची में छपे हैं। इससे बजह निम्नलिखित अनुसूची खाना 10 से 18 में लिखे हुए शब्दों और संख्या पड़ना।

## प्रसारित किया गया वर्णन

अ.नं.	गांव का नाम	तहसील	जिला	स.न.	हि.नं.	गट नं.	क्षेत्र
							हे. प्रार.
1	2	3	4	5	6	7	8 9
1.	चरी	अलिबाग	रायगड	39	1 पै	—	0-22.8

## प्रसारित होने का वर्णन

अ.नं.	गांव का नाम	तहसील	जिला	स.नं.	हि.नं.	गट नं.	क्षेत्र
							हे. प्रार.
10	11	12	13	14	15	16	17 18
1.	चरी	अलिबाग	रायगड	39	1प्र/2पै	—	0-10.4

[स. 34027/1/87-पीसी-III]

## CORRIGENDA

S.O. 756:—Read words and figures shown in columns 1 to 9 to the schedule given below appearing in the schedule annexed to the Government of India Notification No. S.O. 1219 Dated 4th April 1988 published in the Gazette of India Part II Section 3 Sub-Section (ii) dated 16th April 1988 on pages 1642 to 1648 as “words & figures shown in columns 10 to 18 to the schedule given below.

## SCHEDULE

Sr. No.	Name of the Village	Tahsil	District	Survey No.	Hissa No.	Gat No.	Area	
							H.	Ars.
1	2	3	4	5	6	7	8	9
1.	Chari	Alibag	Raigad	39	1(P)	—	0-22.8	

## SCHEDULE

Sr. No.	Name of the Village	Tahsil	District	S. No.	H. No.	Gat No.	Area	
							H.	Ars.
10	11	12	13	14	15	16	17	18
1.	Chari	Alibag	Raigad	39	1A/2(P)	—	0-10.4	

[No. 34027/1/87-PC. III]

का.प्रा. 757.—निम्नलिखित अनुसूची में खाना 1 से 9 में लिखे हुए शब्दों और संख्या भारत सरकार की अधिसूचना नं. का.प्रा. 1219 तारीख 4 अप्रैल, 1989 भारत का राजपत्र भाग II खंड 3 के उपखंड (ii) तारीख 16 अप्रैल, 1988 पृष्ठ 1642 से 164.8 प्रसारित हुए अधिसूचना की अनुसूची में छपे हैं। इससे बजह निम्नलिखित अनुसूची खाना 10 से 18 में लिखे हुए शब्दों और संख्या पढ़ना।

## प्रसारित किया गया वर्णन

अ.न.	गांव का नाम	तहसील	जिला	स.न.	हि.न.	गट न.	क्षेत्र	
							हे.	आर.
1	2	3	4	5	6	7	8	9
1.	खोपणे	अलिबाग	रायगड	9	2 पै	—	0-14.9	
2.	"	"	"	10	1 पै	—	0-13.4	
3.	"	"	"	13	3 अ पै	—	0-15.0	
4.	"	"	"	13	3 अ पै	—	0-08.0	
5.	"	"	"	12	1 पै	—	0-11.1	
6.	"	"	"	12	2 अ पै	—	0-18.1	
7.	"	"	"	41	4 पै	—	0-03.6	
8.	"	"	"	36	3 पै	—	0-07.8	

## प्रसारित होने का वर्णन

अ.न.	गांव का नाम	तहसील	जिला	स.न.	हि.न.	गट न.	क्षेत्र	
							हे	आर
10	11	12	13	14	15	16	17	18
1.	खोपणे	अलिबाग	रायगड	9	2अ पै	—	0-04.9	
2.	"	"	"	10	1 पै	—	0-17.2	
3.	"	"	"	13	3अ पै	—	0-08.5	
4.	"	"	"	13	3अ पै	—	0-14.0	
5.	"	"	"	12	1 पै	—	0-09.6	
6.	"	"	"	12	2अ 1/1 पै	—	0-10.1	
7.	"	"	"	41	4 पै	—	0-03.7	
8.	"	"	"	36	3अ पै	—	0-07.0	

[सं. 34027/1/87-पी सी III]

## CORRIGENDA

S.O. 757 :—Read words and figures shown in columns 1 to 9 to the schedule given below appearing in the schedule annexed to the Government of India Notification No.S.O. 1219 Date 4th April, 1988 published in the Gazette of India Part II Section 3 Sub-Section (ii) dated 16th April, 1988 on pages 1642 to 1648 as words & figures shown in columns 10 to 18 to the schedule given below.

## SCHEDULE

Sr. No.	Name of the Village	Tahsil	District	Survey No.	Hissa No.	Gat No.	Area	
							H.	Ars.
1	2	3	4	5	6	7	8	9
1.	Khopane	Alibag	Raigad	9	2(P)	—	0-14-9	
2.	"	"	"	10	1(P)	—	0-13.4	
3.	"	"	"	13	3A(P)	—	0-15.0	
4.	"	"	"	13	3B(P)	—	0-08.0	
5.	"	"	"	12	1(P)	—	0-11.1	
6.	"	"	"	12	2A(P)	—	0-18.1	
7.	"	"	"	41	4(P)	—	0-03.6	
8.	"	"	"	36	3(P)	—	0-07.8	

Sr. No.	Name of the Village	Tahsil	District	S. No.	H. No.	Gat No.	Area	
							H.	Ars.
10	11	12	13	14	15	16	17	18
1.	Khopane	Alibag	Raigad	9	2A(P)	—	0-04-9	
2.	„	„	„	10	1(P)	—	0-17.2	
3.	„	„	„	13	3A(P)	—	0-08.5	
4.	„	„	„	13	3B(P)	—	0-14.0	
5.	„	„	„	12	1(P)	—	0-09.6	
6.	„	„	„	12	2A1/1(P)	—	0-10.1	
7.	„	„	„	41	4(P)	—	0-03.7	
8.	„	„	„	36	3A(P)	—	0-07.0	

[No. 34027/1/87-PC. III]

## शुद्धि-पत्र

का.आ. 758.—निम्नलिखित अनुसूची में खाना 1 से 9 में लिखे हुए शब्दों और संख्या भारत सरकार की अधिसूचना नं. का.आ. 1219 तारीख 4 अप्रैल, 1988 भारत का राजपत्र भाग II खंड 3 उपखंड (ii) तारीख 16 अप्रैल, 1988 पृष्ठ 1642 से 1648 प्रसारित हुए अधिसूचना की अनुसूची में छपे हैं। इससे वजह निम्नलिखित अनुसूची खाना 10 से 18 में लिखे हुए शब्दों और संख्या पढ़ना।

## प्रसारित किया गया वर्णन

अ.न.	गांव का	तहसील	जिला	स.न.	सि.न.	गट नं.	क्षेत्र	
							हे.	आर.
1	2	3	4	5	6	7	8	9
1.	शाहपुर	अलिबाग	रायगड	266	3 पै	—	0-12	6
2.	„	„	„	6	0 पै	—	0-01	0
3.	„	„	„	255	0 पै	—	0-00	7
4.	„	„	„	137	3 पै	—	0-01	0
5.	„	„	„	136	1 पै	—	0-05	0
6.	„	„	„	106 ब	0 पै	—	0-09	1

## प्रसारित होने का वर्णन

अ.नं.	गांव का नाम	तहसील	जिला	स.न.	हि.नं.	गट नं.	क्षेत्र	
							हे.	आर.
10	11	12	13	14	15	16	17	18
1.	शाहपुर	अलिबाग	रायगड	266	3 पै	—	0-10	0
2.	„	„	„	269	3 पै	—	0-02	6
3.	„	„	„	6	3 पै	—	0-01	3

10	11	12	13	14	15	16	17	18
4.	शाहपुर	अलिबाग	रायगड	255	0 पै	—	कम	किया
5.	"	"	"	137	3 पै	—	"	"
6.	"	"	"	136	1 पै	—	"	"
7.	"	"	"	106ब	0 पै	—	"	"

[सं. 34027/1/87-पीसी-III]

## CORRIGENDA

S.O. 758 :—Read words and figures shown in columns 1 to 9 to the schedule given below appearing in the schedule annexed to the Government of India Notification No. S.O. 1219 dated 4th April, 1988 published in the Gazette of India Part II Section 3 Sub-Section (ii) dated 16th April, 1988 on pages 1642 to 1648 as "words & figures" shown in columns 10 to 18 to the schedule given below.

## SCHEDULE

Sr. No.	Name of the Village	Tahsil	District	Survey No.	Hissa No.	Gat No.	Area	
							H.	Ars.
1	2	3	4	5	6	7	8	9
1.	Shahapur	Alibag	Raigad	266	3(P)	—	0-12.6	
2.	"	"	"	6	0(P)	—	0-01.0	
3.	"	"	"	255	0(P)	—	0-00.7	
4.	"	"	"	137	3(P)	—	0-01-0	
5.	"	"	"	136	1(P)	—	0-05.0	
6.	"	"	"	106B	0(P)	—	0-09.4	

## SCHEDULE

Sr. No.	Name of the Village	Tahsil	District	Survey No.	Hissa No.	Gat No.	Area	
							H.	Ars.
10	11	12	13	14	15	16	17	18
1.	Shahapur	Alibag	Raigad	266	3(P)	—	0-10.0	
2.	"	"	"	269	3(P)	—	0-02-6	
3.	"	"	"	6	3(P)	—	0-01-3	
4.	"	"	"	255	0(P)	—	Deleted	
5.	"	"	"	137	3(P)	—	Deleted	
6.	"	"	"	136	1(P)	—	Deleted	
7.	"	"	"	106B	0(P)	—	Deleted	

[No. 34027/1/87-P.C. III]



## शुद्धि-पत्र

का. आ. 759—निम्नलिखित अनुसूची में खाना 1 से 9 में लिखे हुए शब्दों और संख्या भारत सरकार की अधिसूचना नं. का. आ. 1220 तारीख 4 अप्रैल, 1988 भारत की भाग II खंड 3 उपखंड (ii) तारीख 16 अप्रैल, 1988 पृष्ठ 1648 से 1654 प्रसारित हुए अधिसूचना की अनुसूची में छपे हैं। इसमें वजह निम्नलिखित अनुसूची खाना 10 से 18 में लिखे हुए शब्दों और संख्या पढ़ना।

## प्रसारित किया गया वर्णन

अ.न. गांव का नाम	तहसील	जिला	स. न.	हि. न.	गट न.	क्षेत्र	
						हे.	आर.
1	2	3	4	5	6	7	8 9
1	शहाबाज	अलिबाग	रायगड	224	6 पै.	—	0-01.5
2	"	"	"	218	1 पै.	—	0-18.9
3	"	"	"	266	3 पै.	—	0-12.9

## प्रसारित होने का वर्णन

अ.न. गांव का नाम	तहसील	जिला	स. न.	हि. न.	गट न.	क्षेत्र	
						हे.	आर.
10	11	12	13	14	15	16	17 18
1	शहाबाज	अलिबाग	रायगड	224	6 पै.	—	0-01 0
2	"	"	"	218	1 पै.	—	0-16.9
3	"	"	"	266	3 पै.	—	कम किया

[सं. 34027/1/87-पी. सी.-III]

## CORRIGENDA

S.O. 759 :—Read words and figures shown in Columns 1 to 9 to the schedule given below appearing, in the schedule annexed to the Government of India Notification No. S.O. 1220 dated 4th April 1988 published in the Gazette of India Part II Section 3 Sub-Section (ii) dated 16th April, 1988 on pages 1648 to 1654 as "words & figures" shown in columns 10 to 18 to the schedule given below:—

## SCHEDULE

Sr. No.	Name of the Village	Tehsil	District	Survey No.	Hissa No.	Gat No.	Area	
							H.	Ars.
1	2	3	4	5	6	7	8	9
1.	Shahabaj	Alibag	Raigad	224	6(P)	—	0-01.5	
2.	"	"	"	218	1(P)	—	0-18.9	
3.	"	"	"	266	3(P)	—	0-12-.6	

Sr. No.	Name of the Village	Tehsil	District	S. No.	H. No.	Gat	Area	
							H.	Ars.
10	11	12	13	14	15	16	17	18
1.	Shahabaj	Alibag	Raigad	224	6(P)	—	0.01.0	
2.	"	"	"	218	1(P)	—	0-16.9	
3.	"	"	"	266	3(P)	—	Deleted	

[No. 34027/1/87-P.C.—III]

## शुद्धि-पत्र

का. आ. 760.—निम्नलिखित अनुसूची में खाना 1 से 9 में लिखे हुए शब्दों और संख्या भारत सरकार की अधिसूचना न. का. आ. 774 तारीख 30 मार्च, 1990 भारत का राजपत्र भाग II खंड 3 उपखंड (ii) तारीख 31 मार्च, 1990 पृष्ठ 986 से 988 प्रसारित हुए अधिसूचना की अनुसूची में छपे हैं। इससे वजह निम्नलिखित अनुसूची खाना 10 से 18 में लिखे हुए शब्दों और संख्या पढ़ना।

## प्रसारित किया गया वर्णन

अ.नं.	गांव का नाम	तहसील	जिला	स.	न.	हि.	न.	गट	सं.	हे.	आर.
1	2	3	4	5	6	7	8	3			
1	भिसराई	अलिबाग	रायगड	20	1 + 2 पै	—	0-00.75				

## प्रसारित होने का वर्णन

अ.नं.	गांव का नाम	तहसील	जिला	स.	न.	हि.	न.	गट	न.	हे.	आर.
10	11	12	13	14	15	16	17	18			
1	भिसराई	अलिबाग	रायगड	24	1 अ पै	—	0-00.75				

[सं. 34027/1/87-पीसी-III]

के. मरलीधरन, डेस्क अधिकारी

## CORRIGENDA

S.O. 760 :—Read words and figures shown in columns 1 to 9 to the schedule given below appearing in the schedule annexed to the Government of India Notification No. S.O. 774 dated 30th March, 1990 published in the Gazette of India Part II Section 3 Sub-Section (ii) dated 31st March, 1990 on pages 986 to 988 as “words & figures” shown in columns 10 to 18 to the schedule given below,—

## SCHEDULE

Sr. No.	Name of the Village	Tehsil	District	Survey No.	Plissa No.	Gat No.	Area	
							H.	Ars.
1	2	3	4	5	6	7	8	9
1.	Bhisarai	Alibag	Raigad	20	1 + 2(P)	—	0-00.75	

Sr. No.	Name of the Village	Tahsil	District	S. No.	H. No.	Gat No.	Area
10	11	12	13	14	15	16	17 18
1.	Bhisarai	Alibag	Raigad	24	I/A(P)	—	0-00.75

[No. 34027/1/87-P.C.—III]

K. MURALIDHARAN, Desk Officer.

का. आ. 761.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैंमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का.आ. 2856 तारीख 26-10-90 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था;

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है;

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है;

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्-द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्द्वारा अर्जित किया जाता है;

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस प्रयारिटी आफ इंडिया लिमिटेड, राजमुन्द्री में सभी बाधाओं से मुक्त रूप से घोषणा के प्रकाशन की तारीख से निहित होगा।

## अनुसूची

## टाटीपाका—काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपथ	तहसील	ग्राम	सर्वे न.	क्षेत्रफल (हेक्टे./ एकड़ में)	विवरण
ईस्ट गोदावरी	मामीडी कुडुरु	नगरम	272	0.025	
			181	0.135	
			144	0.030	
			कुल	0.190 हेक्टे.	

[फा. सं. ओ-14016/01/90-जी. पी.]

S.O. 761.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals, Department of Natural Gas S.O. 2856 dated 26-10-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And, whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And, further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

**SCHEDULE**  
**Tatipaka—Kakinada Gas Pipe Line Project**

District	Mandal	Village	Survey Nos.	Area (in Hect./Acres)	Remarks
East Godavari	Mamidikuduru	Nagaram	272	0.025	
			181	0.135	
			144	0.030	
			<b>Total</b>	<b>0.170 Hect.</b>	

[F. No. O-14016/01/90-G.P.]

का. आ. 762.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कौमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का आ. 2857 तारीख 26-10-90 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था,

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है;

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में हमें विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है;

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है;

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथारिटी ऑफ इंडिया लिमिटेड, राजमुन्द्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

**अनुसूची**

**टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट**

जनपद	तहसील	ग्राम	सर्वे न.	क्षेत्रफल (हेक्टे./एकड़ में)	विवरण
ईस्ट गोदावरी	मामीडी कुडूरु	मामीडीकुडूरु	7/1ई	0.260	
			<b>कुल</b>	<b>0.260 हेक्टे</b>	

[फा. स. ओ.-14016/02/90-जी. पी.]

S.O 762.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals, Department of Natural Gas S.O. 2857 dated 26-10-90 under sub-section (1) of Section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And, whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further, in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

### SCHEDULE

#### Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (in Hect./Acres)	Remarks
East Godavari	Mamidikuduru	Mamidikuduru	7/1E	0.260	
Total				0.260 Hect.	

[F. No. O-14016/02/90-G.P.]

का. आ. 763.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का. आ. 2858 तारीख 26-10-90 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अनायास घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्-द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्द्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजमुन्द्री में सभी बाधाओं से मुक्त रूप से घोषणा के प्रकाशन की तारीख से निहित होगा।

#### अनुसूची

#### टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे./एकड़ में)	विवरण
ईस्ट गोदावरी	मामीडिकुदूरु	पामरला पूडी	197	0.010	
			166	0.035	
			173	0.005	
			11	0.365	
			13	0.095	
			244	0.245	
कुल				0.755 हेक्टे.	

[फा. सं. ओ-14016/03/90 जी. पी.]

S.O. 763—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals, Department of Natural Gas S.O. 2858 dated 26.10.90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline

And, whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government.

And, further, whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification

Now, therefore in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline

And, further, in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

### SCHEDULE

#### Tatupaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect/ Acres)	Remarks
East Godavari	Mamidikuduru	Pasarlapudi	197	0.010	
			166	0.035	
			173	0.005	
			11	0.365	
			13	0.095	
			244	0.245	
			Total	0.755	Hect.

[F. No O-14016/03/90-G.P.]

का आ 764 —यत पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैंमिकल्स मन्त्रालय, प्राकृतिक गैस विभाग की अधिसूचना का. आ. 2859 तारीख 26-10-90 द्वारा भारत सरकार ने उस अधिसूचना से सलग्न अनसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था,

और यत सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है,

और आगे यत केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात इस अधिसूचना से सलग्न अनसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है,

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से सलग्न अनसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है ;

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी आफ इंडिया लिमिटेड, राजमुन्त्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख में निहित होगा।

#### अनुसूची

#### टाटुपाका - काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे न.	क्षेत्रफल (हेक्टे. एकड़ में)	विवरण
ईस्ट गोदावरी	अल्लावरम	वीडमकूरु	320	0.005	
			317	0.020	
			310	0.010	
			कुल	0.035	हेक्टे

[फा. स. ओ - 14016/04/90-जी. पी.]

S.O. 764.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals, Department of Natural Gas S.O. 2859 dated 26-10-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And, whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government.

And, further, whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And, further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

### SCHEDULE

#### Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect/ Acres)	Remarks
East Godavari	Allavaram	Bodasakurru	320	0.005	
			317	0.020	
			310	0.010	
			Total	0.035 Hect.	

[F. No. O-14016/04/90-G.P.]

का. आ. 765.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का. आ. 2860 तारीख 26-10-90 द्वारा भारत सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आणय घोषित कर दिया था;

और यतः मक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन सरकार को रिपोर्ट दे दी है ;

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है ;

अब अतः उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है ;

और आगे इस धारा की उप-धारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी आफ इंडिया लिमिटेड, राजमुन्द्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

#### अनुसूची

#### टाटीपाका — काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे. एकड़ मे)	विवरण
1	2	3	4	5	6
ईस्ट गोदावरी	अल्लवारम	अल्लवारम	345	0.030	
			264	0.135	
			कुल	0.165	हेक्टे.

[सं. ओ-14016/05/90 — जी.पी.]

S.O. 765.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals, Department of Natural Gas S.O. 2860 dated 26-10-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And, whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government.

And, further, whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And, further, in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

### SCHEDULE

#### Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect/ Acres)	Remarks
East Godavari	Allavaram	Allauaram	345	0.030	
			264	0.135	
			Total	0.165 Hect.	

[No. O-14016/05/90-G.P.]

का. आ. 766—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैमीकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का. आ. 2861 तारीख 26-10-90 द्वारा भारत सरकार ने उस अधिसूचना से सलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था ;

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन सरकार को रिपोर्ट दे दी है ;

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से सलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है ;

अब अतः उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से सलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है ;

और आगे इस धारा की उप-धारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निवेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथारिटी आफ इंडिया लिमिटेड, राजमुन्द्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा ।

#### अनुसूची

#### टाटीपाका - काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे./एकड़ में)	विवरण
1	2	3	4	5	6
ईस्ट गोदावरी	अमलापुरम	ताण्डवपल्लि	57	0.325	
			43	0.060	
			कुल	0.385	हेक्टे.

[सं.ओ-14016/07/90-जीपी]



S.O. 766.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals, Department of Natural Gas S.O. 2861 dated 26-10-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And, whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government.

And, further, whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And, further, in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

### SCHEDULE

#### Tatipaka-Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect./Acres)	Remarks
East Godavari	Amalapuram	Thandavapalli	57	0.325	
			43	0.060	
			Total	0.835 Hect.	

[No. O-14016/07/90-G.P.]

का. आ. 767 यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उप-धारा (1) के अधीन भारत सरकार के पेट्रोलियम और कौमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का. आ. 2862 तारीख 26-10-90 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था ;

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन सरकार को रिपोर्ट दे दी है ;

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है ;

अब अतः उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है ;

और आगे इस धारा की उप-धारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी आफ इंडिया लिमिटेड, राजमुन्द्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा ।

अनुसूची

टाटीपाका - काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे./एकड़ में)	विवरण
1	2	3	4	5	6
ईस्ट गोदावरी	अमलापुरम	वन्तेचित्तलपुडि	37	0.010	
			कुल	0.010	हेक्टे.

S.O. 767.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals, Department of Natural Gas S.O. 2862 dated 26-10-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And, whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government.

And, further, whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And, further, in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

### SCHEDULE

#### Tatipaka-Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect/ Acres)	Remarks
East Godavari	Amalapuram	Venechintalapudi	37	0.010	
Total				0.010 Hect.	

[F. No. O-14016/8/90-G.P.]

का आ. 768 यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का. आ. 2863 तारीख 26-10-90 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था ;

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है;

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है ;

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी आफ इंडिया लिमिटेड, राजमुन्द्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख में निहित होगा।

#### अनुसूची

#### टाटीपाका - काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे/एकड़ में)	विवरणा
1	2	3	4	5	6
ईस्ट गोदावरी	अमलापुरम	समानासा	11	0.045	
			15	0.085	
			16	0.090	
			2	0.030	
			कुल	0.250	हेक्टे

[फा. सं. ओ - 14016/9/90 - जी. पी.]

S.O. 768.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals, Department of Natural Gas S.O. 2863 dated 26-10-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And, whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government.

And, further, whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And, further, in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

## SCHEDULE

### Tatipaka-Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect/ Acres)	Remarks
East Godavari	Amalapuram	Samanasa	11	0.045	
			15	0.085	
			16	0.090	
			2	0.030	
			Total	0.250 Hec.	

[F. No. O—14016/9/90-G.P.]

का. आ. 769.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और केमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का. आ. 2864 तारीख 26-10-90 द्वारा भारत सरकार ने उस अधिसूचना में विनिर्दिष्ट भूमियों के उपयोग के अधिकार की पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था;

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है ;

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है ;

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है ;

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार से निहित होने के बजाय गैस अथॉरिटी आफ इंडिया लिमिटेड, राजमुन्दी में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा ।

## अनुसूची

## टाटीपाका—काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	नाम	सर्वे न.	क्षेत्रफल (हेक्टे.। एकड़ में)	विवरण
ईस्ट गोदावरी	अमलापुरम	अमलापुरम	1035	0.085	
			1034	0.010	
			918	0.010	
			931	0.045	
			933	0.210	
			कुल	0.360 हेक्टे.	

[फा. स. ओ.—14016/10/90-जी. पी.]

S.O. 769.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals Department of Natural Gas S.O. 2864 dated 26-10-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And, whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government.

And, further, whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And, further, in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

## SCHEDULE

## Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect/ Acres)	Remarks
East Godavari	Amalapuram	Amalapuram	1035	0.085	
			1034	0.010	
			918	0.010	
			931	0.045	
			933	0.210	
			Total	0.360 Hect.	

[F. No. O—14016/10/90 G.P.]

का. आ. 770.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैंमिक्ल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का. आ. 2865 तारीख 26-10-90 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार के पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है ;

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है ;

अथ अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है ;

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाए गैस अथारिटी आफ इंडिया लिमिटेड, राजमुन्द्री सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

#### अनुसूची

#### टाटीपाका—काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे न.	क्षेत्र ( हेक्टे . एकड़ में )	विवरण
ईस्ट गोदावरी	अमलापुरम	भट्टनावल्लि	187	0.015	
			184	0.015	
			9	0.140	
			कुल	0.170 हेक्टे.	

[फा. सं. ओ.—14016/11/90—जी. पी.]

S.O. 770.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals, Department of Natural Gas S.O. 2865 dated 26-10-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Government.

And, further, whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And, further, in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

#### SCHEDULE

#### Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect/ Acres)	Remarks
East Godavari	Amalapuram	Bhatnavalli	187	0.015	
			184	0.015	
			9	0.140	
			Total	0.170 Hect.	

[F. No. O-14016/11/90-G.P.]

का. आ. 771.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और केमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का. आ. 2866 तारीख 26-10-90 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था ;

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है ;

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है ;

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाना है ;

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार से निहित होने के बजाय गैस अथारिटी आफ इंडिया लिमिटेड, राजमुन्द्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा ।

#### अनुसूची

#### टाटीपाका—काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम]	सर्वे न.	क्षेत्रफल (हेक्टे. ] एकड़ में)	विवरण
ईस्ट गोदावरी	अथिनविल्लि	विलासा	172	0.060	
			170	0.148	
			169	0.215	
			173	0.075	
			कुल	0.498 हेक्टे.	

[का. सं. ओ.-14016/13/90-जी. पी.]

राजीव मूर्ति, उप सचिव

S.O. 771.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals, Department of Natural Gas S.O. 2866 dated 26-10-90 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And, whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And, further, whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And, further, in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

## SCHEDULE

## Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect/Acres)	Remarks
East Godavari	Ayinavalli	Vilasa	172	0.060	
			170	0.148	
			169	0.215	
			173	0.075	
			Total	0.478 Hect.	

[F. No. O-14016/13/90-G.P.]

RAJIV MEHRSHI, Dy. Secy.

का. आ. 772.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का. आ. 2867 तारीख 26-10-90 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था ;

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है ;

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है ;

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करने हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है ;

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथारिटी आफ इंडिया लिमिटेड, राजमन्दी में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा ।

## अनुसूची

## टाटीपाका—काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे. एकड़ में)	विवरण
ईस्ट गोदावरी	अयिनविल्लि	सागम	258	0.175	
			259	0.155	
			254	0.011	
			255	0.012	
			251	0.135	
			253	0.045	
			252	0.310	
			227	0.254	
			226	0.012	
			कुल	1.109 हेक्टे.	

[फा. सं. ओ.-14016/14/90-जी. पी.]

S.O. 772.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals, Department of Natural Gas S.O. 2867 dated 26-10-90 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And, whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And, further, whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And, further, in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

### SCHEDULE

#### Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect/ Acres)	Remarks
East Godavari	Ayinavalli	Magam	258	0.175	
			259	0.155	
			254	0.011	
			255	0.012	
			251	0.135	
			253	0.045	
			252	0.310	
			227	0.254	
			226	0.012	
			Total	1.109	

[F. No. O-14016/14/90-G.P.]

का. आ. 773.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962, (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और केमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का. आ. 2868 तारीख 26-10-90 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार को अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रवृत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रवृत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी आफ इंडिया लिमिटेड, राजमुन्दी में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।



## अनुसूची

## टाटीपाका—काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे. / विवरण एकड़ में)
ईस्ट गोदावरी	अयिनवल्लि	तोत्तारामूडि	16	0.060
			29	0.003
			30	0.001
			31	0.085
			176	0.025
			175	0.005
			180	0.005
			187	0.040
			कुल	0.224 हेक्टे.

[फा. सं. ओ.-14016/15/90-जी. पी.]

S.O. 773.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals, Department of Natural Gas S.O. 2868 dated 26-10-90 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And, whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And, further, whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And, further, in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

## SCHEDULE

## Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect/ Acres)	Remarks
East Godavari	Ayinavalli	Tottaramudi	16	0.060	
			29	0.003	
			30	0.001	
			31	0.085	
			176	0.025	
			175	0.005	
			180	0.005	
			187	0.040	
			Total	0.224 Hect.	

[F. No. O-14016/15/90-G.P.]

का.आ. 774 —यत पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962, (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैमिकल्स मंत्रालय प्राकृतिक गैस विभाग की अधिसूचना का या 2869 तारीख 26-10-1990 द्वारा भारत सरकार ने उस अधिसूचना से सलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया गया था।

और यत सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है,

और आगे यत केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से सलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है,

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना के सलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निवेदन देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी आफ इंडिया लिमिटेड, राजमुंद्री में सभी बाधाओं में मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

#### अनुसूची

##### टाटापाका—काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे न	क्षेत्रफल (हेक्टे/एकड़ में)	विवरण
(1)	(2)	(3)	(4)	(5)	(6)
			73	0 320	
ईस्ट गोदवारी	आईनवल्लि	आईनवल्लि	75	0 1120	
		कुल		0 440	हेक्टे

[का सख्या ओ - 14016/16/90-जी पी]

SO 774—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals, Department of Natural Gas SO 2869 dated 26-10-90 under sub-section (1) of section 3 of the Petroleum and Minerals Pipes Lines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline

And, whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government

And further whereas the Central Government has, after considering the said report decided to acquire the right of

user in the lands specified in the schedule appended to this notification

Now, therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline

And, further in exercise of power conferred by sub-section (4) of section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances

## SCHEDULE

## Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect./ Acres)	Remarks
East Godavari	Ayinavalli	Ayinavalli	73 75	0.320 0.120	
			Total	0.440 Hect.	

[F. No. O-14016/16/90 G.P.]

का. आ. 775 --यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का. आ. 2870 तारीख 26-10-90 द्वारा भारत सरकार ने उक्त अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था,

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है ;

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है ;

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के लिये एतद्वारा अर्जित किया जाता है ;

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ग्राफ इंडिया लिमिटेड, राजमुंद्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

## अनुसूची

## टाटीपाका काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे एकड़ में)	विवरण
(1)	(2)	(3)	(4)	(5)	(6)
ईस्ट गोदावरी	पामरु	कोटिपल्लि	49	0.015	
			67	0.0925	
			68	0.060	
			कुल		0.100

[सं. ओ-14016/17/90-जी पी]

S.O. 775.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals Department of Natural Gas S.O. 2870 dated 26-10-90 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

### SCHEDULE

#### Tatipaka—Kakinada Gas Pipe Line Project

East Godavari	Pamarru	Kotipalli	49	0.015
			67	0.025
			68	0.060
			Total	0.100 Hect.

[No. O-14016/17/90 G.P.]

का. आ. 776.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कर्मिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का. आ. 2871 तारीख 26-10-90 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था ;

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है ;

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है ;

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है ;

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी आफ इंडिया लिमिटेड, राजमुन्द्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगी।

#### अनुसूची

#### टाटीपाका-काकीरापा पाइप लाइन प्रोजेक्ट

(1)	(2)	(3)	(4)	(5)	(6)
ईस्ट गोदावरी	पामरु	कोटा	40	0.125	
			कुल	0.125	हेक्टे.

[स. ओ.-140 16/19/90-जी.पी.]

S.O. 776.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals Department of Natural Gas S.O. 2871 dated 26-10-90 under sub-section (I) of section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under sub-section (I) of section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (I) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration in the Gas Authority of India Limited free from encumbrances.

### SCHEDULE Tatipaka — Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In hect/Acres)	Remarks
East Godavari	Pamaru	Kota	40	0.125	
			Total	0.125	
				Hect.	

[No. O-14016/19/90-G.P.]

का. आ. 778.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 की 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का. आ. 2872 तथा तारीख 26-10-90 द्वारा सरकार ने उस अधिसूचना से सलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के लिए अपना आशय घोषित कर दिया था ;

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है ;

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से सलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है ;

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रवृत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एवम् द्वारा घोषित करती है कि इस अधिसूचना से सलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है ;

और आगे इस धारा की उपधारा (5) द्वारा प्रवृत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस आथारिटी आफ इंडिया लिमिटेड, राजमुन्द्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगी ;

अनुसूची

टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं	क्षेत्रफल (हेक्टे एकड़ में)	विवरण
(1)	(2)		(3)	(5)	(6)
ईस्ट गोदावरी	रामचन्द्रा पुरम	हसनबद	38	0.005	
			81	0.005	
			कुल	0.010	हेक्टे

[सं. ओ-14016 14 90-जी पी]

SO 777—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals Department of Natural Gas SO 2872 dated 26-10-90 under sub-section (I) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline,

And whereas the Competent Authority has under sub-section (I) of section 6 of the said Act, submitted report to the Government,

And further whereas the Central Government has, after considering the said report decided to acquire the right of

user in the lands specified in the schedule appended to this notification,

Now, therefore, in exercise of the power conferred by sub-section (I) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline,

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances

### SCHEDULE

#### Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (in Hect./Acres)	Remarks
East Godavari	Ramachendrapuram	Hasanbada	38	0 005	
			81	0 005	
			Total	0 010 Hect.	

[F.No. O-14016/14/90-G.P.]

का आ 778 —यत पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कॅमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का आ. 2873 तारीख 26-10-90 द्वारा भारत सरकार ने उस अधिसूचना से सलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आग्रह घोषित कर दिया था।

और यत सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यत. केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से सलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करने हुए केन्द्रीय सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना से सलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्द्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करने हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजमुन्द्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

#### अनुसूची

#### टाटीपाका—काकीनाडा गैस पाइप लाइन प्रोजेक्ट

अनपद	तहसील	ग्राम	सर्वे न.	क्षेत्रफल (हेक्टे ) एकड़ में)	विवरण
ईस्ट गोदावरी	रामचन्द्रापुरम	कन्दूलापालेम	42	0 032	
			34	0 069	
			कुल	0 101	हेक्टेयर

[सं ओ-14016/25/90-जी पी ]

S.O. 78 —Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals Department of Natural Gas S.O. 2873 dated 26-10-90 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline,

And whereas the Competent Authority has under sub section (1) of section 6 of the said Act, submitted report to the Government,

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification,

Now, therefore, in exercise of the power conferred by sub section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline,

And further in exercise of power conferred by sub section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

### SCHEDULE

#### Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey No.	Area (in hect/Acres)	Re marks
East Godavari	Ramachandrapuram	Kandulapalem	42	0 032	
			34	0 069	
			Total	0 101 Hect	

[No O-14016/25/90-G.P.]

का आ 779 —यत पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 की धारा धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैमिक्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का आ 2874 तारीख 26-10-90 द्वारा भारत सरकार ने उस अधिसूचना से सलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अर्जना आणख घोषित कर दिया था।

और यत सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है,

और आगे यत केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से सलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है;

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से सलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है,

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजमुन्द्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

#### अनुसूची

#### टाटीपाका—काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे न.	क्षेत्रफल (हेक्टर / एकड़ में)	विवरण
ईस्ट गोदावरी	रामचन्द्रपुरम	थनामादाना	94	0 260	
			136	0 125	
			161	0 060	
			कुल	0 445 हेक्टे	

[फा स अ-1 1016/27/90- जी पी ]

S.O. 779.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals Department of Natural Gas S.O. 2874 dated 26-10-90 under sub-section (I) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under sub-section (I) of section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (I) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

### SCHEDULE

#### Tatipaka—Kakinada Gas Pipe Line Project.

District	Mandal	Village	Survey No.	Area (in Hect./Acres)	Remarks
East Godavari	Ramachandrapuram	Enamadala	94	0.260	
			136	0.125	
			161	0.060	
			Total	0.445 Hect	

[F.No. O-14016/27/90-G.P.]

का.आ. 780. :—यतः पेट्रोलियम और नैज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का.आ. 2875 तारीख 26-10-90 द्वारा भारत सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आग्रह घोषित कर दिया था;

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है ;

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है ;

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रस्तुत अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है ;

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजमुन्त्री में सभी बाधाओं में मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा ।

#### अनुसूची

#### टाटीपाका—काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे./ एकड़ में)	विवरण
ईस्ट गोदावरी	रामाचन्द्रपुरम	ओडूरु	129	0.020	
			154	0.170	
			192	0.010	
			285	0.045	
			201	0.015	
			कुल	0.260 हेक्टे./	

[सं. अ. -14016/29/90-जी ओ.]



S.O. 782.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals Department of Natural Gas S.O. 2877 dated 26-10-90 under sub-section (I) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purposes of laying pipeline;

And whereas the Competent Authority has under sub-section (I) of section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (I) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

### SCHEDULE Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey No.	Area (in Hect./Acres)	Remarks
East Godavari	Pedapudi	Sahapuram	208	0.015	
			267	0.185	
			268	0.045	
			Total	0.245	Hect.

[No. O-14016/35/90-G.P.]

का.आ. 783. . . —यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैंमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का.आ. 2878 तारीख 26-10-90 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था;

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है;

[भाग II—खंड 3(ii)]

भारत का राजपत्र मार्च 16, 1991/फाल्गुन 25, 1912

1291

S.O. 780.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals Department of Natural Gas S.O. 2875 dated 26-10-90 under sub-section (I) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under sub-section (I) of section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (I) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

### SCHEDULE Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area Inhect/acres)	Remarks
East Godavari	Ramachandrapuram	Oduru	129	0.020	
			154	0.170	
			192	0.010	
			285	0.045	
			201	0.015	
			Total	0.260	Hect.

[No. O-14016/29/90-G.P.]

का.आ. 781 . . . —यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैंमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का.आ. 2876 तारीख 26-10-90 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था ;

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है;

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्द्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजमुन्त्री में सभी आश्वासनों में मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

टाटीपाका—काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे. एकड़ में)	विवरण
ईस्ट गोदावरी	पेदापुडी	कन्डेगुला	1	0.005	
			35	0.012	
			कुल	0.017	हेक्टे.

[सं. ओ -14016/34 90-जी. पी.]

S.O. 781.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals Department of Natural Gas S.O. 2876 dated 26-10-90 under sub-section (I) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under sub-section (I) of section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (I) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

### SCHEDULE

#### Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (in Hect./Acres)	Remarks
East Godavari	Pedapud	Kondregula	1	0.005	
			35	0.012	
			Total	0.017 Hect.	
					[No. O-14016/34/50-G.P.]

[No. O-14016/34/90-G.P.]

का.प्रा. 782. :—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैंमिक्ल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का.प्रा. 2877 तारीख 26-10-90 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में ; विनिर्दिष्ट भूमियों में उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है ;

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है ;

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजमुन्दी में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

#### अनुसूची

#### टाटीपाका—काकीनाडा गैस पाइप लाइन प्रोजेक्ट

तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे. एकड़ में)	विवरण
ईस्ट गोदावरी	पेदापूडी	शाहपुरम	208	0.015
			267	0.185
			268	0.045
		कुल		0.245 हेक्टे.

[सं. ओ-14016/35/90-जी पी]

S.O. 782.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals Department of Natural Gas S.O. 2877 dated 26-10-90 under sub-section (I) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purposes of laying pipeline;

And whereas the Competent Authority has under sub-section (I) of section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (I) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

### SCHEDULE Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey No.	Area (in Hect/Acres)	Remarks
East Godavari	Pedapudi	Sahapuram	208	0.015	
			267	0.185	
			268	0.045	
			Total	0.245	Hect.

[No. O-14016/35/90-G.P.]

का.प्रा.783... :—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और केमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का.प्रा. 2878 तारीख 26-10-90 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था;

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्टें दे दी हैं।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है;

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है;

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड, राजमुन्दी में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

#### अनुसूची

#### टाटीपाका—काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे./ एकड़ में)	विवरण
1	2	3	3	5	6
ईस्ट गोदावरी	पेदापुडी	कराकूडूर	174	0.155	
			176	0.105	
			182	0.015	
			188	0.020	

1	2	3	4	5	6
			189	0.120	
			285	8.030	
			286	0.060	
			292	0.015	
			कुल	0.520	हेक्टे.

[फा.स. ओ-14016/37/90-जी.पी.]

S.O. 783.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals Department of Natural Gas S.O. 2878 dated 26-10-90 under sub-section (I) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purposes of laying pipeline;

And whereas the Competent Authority has under sub-section (I) of section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (I) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

## SCHEDULE

## Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (in Hect/Acres)	Remarks
East Godavari	Pedapudi	Karakaduru	174	0.155	
			176	0.105	
			182	0.015	
			188	0.020	
			189	0.120	
			285	0.030	
			286	0.060	
			292	0.015	
			Total	0.520 Hect.	

[F.No. O-14016/37/90-G.P.]

का. आ.—784.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (I) के अधीन भारत सरकार के पेट्रोलियम और केमिकल्स मंत्रालय प्राकृतिक गैस विभाग की अधिसूचना का. आ. 2879 तारीख 26-10-90 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (I) के अधीन सरकार का उत्पाद दे दा ह।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है ;

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रवृत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के वजाय गैस अथॉरिटी आफ इंडिया लिमिटेड राजमुन्त्री में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

## अनुसूची

## टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे. एकड़ में)	विवरण
ईस्ट गोदावरी	सामलकोट	बोयनापुडि	92	0.300	
			64	0.110	
			कुल	0.410	हेक्टेर

[स. ओ. 14016/63/90-जी पी]

S.O. 784.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Chemicals Department of Natural Gas S.O. 2879 dated 26-10-90 under sub-section (I) of section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purposes of laying pipeline;

And whereas the Competent Authority has under sub-section (I) of section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (I) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

## SCHEDULE

## Tatipaka—Kakinada Gas Pipe Line Project.

District	Mandal	Village	Survey Nos.	Area (in hect/acres)	Remarks
East Godavari	Samalkote	Boyanapudi	92	0.300	
			64	0.110	
			Total	0.410 Hect.	

[No. O-14016/63/90-G.P.]

का.भा. 785 :—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि पेट्रोलियम पदार्थ एवं प्राकृतिक गैस लाने के लिए दिल्ली से बहादुर गढ़ और सोनीपत राज्य हरियाणा में पाइप लाइन परियोजना के अन्तर्गत पाइप लाइन गैस अथॉरिटी आफ इंडिया लिमिटेड द्वारा बिछायी जाना है।

और यह भी अनुभव करती है कि उस कार्य के लिए इसके साथ संलग्न विवरण में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइप लाइन (भूमि पर प्रयोक्ता का अधिकार ग्रहण) अधिनियम 1962 (1962 का 50) खण्ड 3 के उपखण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की मंशा की घोषणा करती है।

अर्थात् कि उक्त भूमि में अपनी रचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी आपत्ति सक्षम प्राधिकारी गैस अथॉरिटी आफ इंडिया लिमिटेड कमरा नं. 152, तीस हजारी कोर्ट, दिल्ली में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराते समय किसी भी व्यक्ति को यह विशेष रूप से निर्विण्ट करना होगा कि वह व्यक्तिगत रूप से अथवा विधि व्यवसायक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

रकबा और स्कीम बाबत दिल्ली बहादुरगढ़ गैस पाइप लाइन अधिग्रहण

गांव	तहसील व जिला	खसरा नं.	क्षेत्रफल बिघा बिस्वा	टिप्पणी
खेडा कलां दिल्ली		142 मिन	2 2	गैर भूमिकिन रास्ता
		56 15 2 मिन	0 14	
		16 मिन	0 2	
		14 मिन	0 11	
		7 मिन	0 07	
		72 3 "	0 18	
		144 "	0 18	
		58 21 "	0 17	
		57 25 1 "	0 17	
		24 "	0 7	
		58 28 1	0 7	
		18 "	0 1	
		58 22 "	0 17	
		25 "	0 17	
		24 "	0 13	
		17 "	0 4	
		59 17 "	0 17	
		22 "	0 17	
		21 "	0 17	
		16 "	0 13	
		25 "	0 4	
		24 "	0 17	
		60 16 "	0 8	

1	2	3	4	5
खेडा कर्णा दिल्ली-जारी	17	मिन	0 17	
	18/2		0 8	
	60/18/3	रु	0 5	
	19/1	रु	0 8	
	20	"	0 17	
	15	"	0 13	
	61/10/2	"	0 6	
	11/1	"	0 11	
	2	"	कमगज बिस्सा	
	9	"	0 13	
	138	"	0 13	रेलवे साईन
	50/24	"	0 7	
	23	"	0 4	
	61/3	"	0 10	
	4	"	0 3	
	5	"	0 17	
	62/1	"	0 17	
	63/1	"	0 15	
	10	"	0 7	
	48/22	"	0 7	
	21		0 11	
	62/6/1	"	0 5	
	6/2	"	0 11	
	117		0 2	गैर मुमकिन रास्ता
	62/7	"	0 16	
	8	"	0 17	
	9/1	"	0 17	
	48/13	"	0 16	
	18	"	0 5	
	48/19	"	0 18	
	6	"	0 11	
	7	"	0 11	
	14	"	0 8	
	5	"	0 11	
	47/1	"	0 10	
	42/21	"	0 12	
	22	"	0 10	
			34 16	

S.O. 785.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas from Delhi to Bahadurgarh and Sonapat in Haryana State, pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Mine-

Now, therefore, in exercise of the powers conferred by Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India H.B.J. Spur IV Pipeline Project, Room No. 152, Tis Hazari Court, Delhi.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

### Schedule for R.D.U. Acquisition for Delhi Bahadurgarh Gas Pipe Line.

Village	Tehsil & Distt.	Khasra No.	Area in Big—Bis.	Remarks
Khera Kalan	Delhi	142	Min 2-2	(G. M. Rasta)
		56		
		15/2	„ 0-14	
		16	„ 0-2	
		14	„ 0-11	
		7	„ 0-7	
		72		
		3	„ 0-18	
		144	„ 0-18	(Canal)
		58		
		21	„ 0-17	
		57		
		25/1	„ 0-17	
		24	„ 0-7	
		58		
		23/1	„ 0-7	
		18	„ 0-1	
		58		
		22	„ 0-17	
		25	„ 0-17	
		24	„ 0-13	
		17	„ 0-4	
		59	„	
		17	„ 0-17	
		22	„ 0-17	
		21	„ 0-17	
		16	„ 0-13	
		25	„ 0-4	
		24	„ 0-17	



3	4	5
60		
16	Min	0-8
17	„	0-17
18/2	„	0-8
60		
18/3	„	0-5
19/1	„	0-8
20	„	0-17
15	„	0-13
61		
10/2	„	0-6
11/1	„	0-11
2	„	Less than Biswa
9	„	0-13
138	„	0-13 (Rly. Line)
50		
24	„	0-7
23	„	0-4
61		
3	„	0-10
4	„	0-3
5	„	0-17
62		
1	„	0-17
63		
1	„	0-15
10	„	0-7
48		
22	„	0-7
21	„	0-11
62		
6/1	„	0-5
6/2	„	0-11
117	„	0-2 (G.M. Rasta)
62		
7	„	0-16
8	„	0-17
9/1	„	0-17
48		
13	„	0-16

18	Min	0-5
48		
19	„	0-18
6	„	0-11
7	„	0-11
14	„	0-8
5	„	0-11
47		
1	„	0-10
42		
21	„	0-12
22	„	0-10
		34-16

[F. No. O-14016/01/91/GP]

## Acquisition for Delhi Bahadurgarh Gas Pipe Line.

का आ 786.—जबकि केन्द्रीय सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि पेट्रोलियम पदार्थ एवं प्राकृतिक गैस लाने के लिए दिल्ली से बहादुरगढ़ और सोनीपत राज्य हरियाणा में पाईप लाईन परियोजना के अन्तर्गत पाईप लाईन गैस अर्थारिटी आफ इंडिया लिमिटेड द्वारा बिछाया जाना है।

और यह भी अनुभव करती है कि उम कार्य के लिए इसके साथ संलग्न विवरण में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाईप लाईन (भूमि पर प्रयोक्ता का अधिकार ग्रहण अधिनियम, 1962 (1962 का 50) के खण्ड 3 के उपखण्ड (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा उम पर प्रयोक्ता का अधिकार ग्रहण करने का मंशा को घोषणा करती है।

बशर्ते कि उक्त भूमि में अपनी रूचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाईप लाईन बिछाने के विरोध में अपनी आपत्ति मक्षम प्राधिकारी गैस अर्थारिटी आफ इंडिया लिमिटेड कमरा नं० 152, तीस हजारी कोट, दिल्ली में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराने समय किसी भी व्यक्ति को यह विशेष रूप से निर्दिष्ट करना होगा कि वह व्यक्तिगत रूप से अथवा विधि व्यवसायक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

रकबा जेर स्कीम बाबत दिल्ली—बहादुरगढ़ गैस पाईप लाईन अधिग्रहण

गांव	तहसील व जिला	खमरा नं०	क्षेत्रफल बिघा/बिस्वा	टिप्पणी
प्रहलादपुर बागर	दिल्ली	2/25 मिन	0-17	
		3/21 "	0-17	
		23 "	0-17	
		22/1 "	0-8	
		22/2 "	0-8	
		25 "	0-17	
		24 "	0-17	
		4/21/3 "	0-16	
		5/4/2 "	0-6	
		5/3 2 "	0-5	

2	"	0-10
7/4	"	0-2
2	"	0-2

7-12

[फा. सं. यो.-14016/02 91 जी. पी.]

S.O. 786.—Whereas it appears to the Central Government it is necessary in the public interest that for the transport of Petroleum and Natural Gas from Delhi to Bahadurgarh and Sonapat in Haryana State, pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, it exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land)

Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India H.B.J. Spur IV Pipeline Project, Room No. 152, Tis Hazari Court, Delhi,

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

#### Schedule For R.U.O. Acquisition for Delhi Bahadurgarh Gas Pipe Line.

Village	Tehsil & Distt.	Khasra No.	Area in Bisha—Biswa	Remarks
Prehlad Pur Banger	Delhi	2		
		25	Min 0-17	
		3		
		21	„ 0-17	
		23	„ 0-17	
		22/1	„ 0-8	
		22/2	„ 0-8	
		25	„ 0-17	
		24	„ 0-17	
		4		
		21/2	„ 0-16	
		5		
		4/2	„ 0-6	
		5		
		3/2	„ 0-5	
		2	„ 0-10	
		7		
		4	„ 0-2	
		2	„ 0-2	
			7-12	

का. आ. 787—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में वह आवश्यक है कि पेट्रोलियम पदार्थ एवं प्राकृतिक गैस लाने के लिए दिल्ली से बहादुरगढ़ और सोनीपत-राज्य हरियाणा में पाईप लाईन परियोजना के अन्तर्गत पाईप लाइन गैस अथॉरिटी आफ इंडिया लिमिटेड द्वारा बिछाया जाना है ;

और यह भी अनुभव करती है कि उस कार्य के लिए इसके साथ संलग्न विवरण में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाईप लाईन (भूमि पर प्रयोक्ता का अधिकार ग्रहण अधिनियम) 1962 (1962 का 50) के खण्ड 3 के उपखण्ड (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्द्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की मंशा को घोषणा करती है।

बशर्ते कि उक्त भूमि में अपनी रुचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाईप लाईन बिछाने के विरोध में अपनी आपत्ति सक्षम प्राधिकारी गैस अथॉरिटी आफ इंडिया लिमिटेड कमरा नं. 152, तीस हजारी कोर्ट, दिल्ली में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराते समय किसी भी व्यक्ति को यह विशेष रूप से निर्विण्ट करना होगा कि वह व्यक्तिगत रूप से अथवा विधि व्यवसायक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

#### अनुसूची

रकबा जैर स्कीम बाबत दिल्ली—बहादुरगढ़ गैस पाईप लाईन अधिग्रहण

गांव	तहसील व जिला	खसरा नं.	क्षेत्रफल बीघा बीघा	टिप्पणी
1	2	3	4	5
खेडा खुर्द	दिल्ली	112/16	मिन 0 16	
		17	" 0 16	
		18	" 0 16	
		111/22/2	" 0 15	
		20	" 0 2	
		21/2	0 5	
		21/1	" 0 10	
		113/12	" 0 7	
		13	" 0 8	
		18	" 0 4	
		885	" 0 1	(गैर मुमकिन खाल)
		113 /15	" 0 12	
		16	" 0 2	
		14	" 0 15	
		112 /19	" 0 16	
		20/1	" 0 12	
		11/1	" 0 2	
		117/4	" 0 8	
		3	" 0 18	
		2	" 0 05	
		6	" 0 15	
		7/2	" 0 2	
		236	" 0 4	
		118/2/1	" 0 2	
		10	" 0 15	
		1	" 0 2	
		8	" 0 8	

3		4	
9	मिन	0	12
2/2	"	0	5
118/4	"	0	15
7	"	0	2
3	"	0	8
5	"	0	16
119/5	मिन	0	16
3	"	0	15
4	"	0	16
1		0	16
2		0	16
120/1	"	0	16
4	"	0	12
3/2	"	0	7
2	"	0	8
821	"	0	4 गैर मुसकिन खाल
		21	3

[फा. सं. ओ-14016/03/91 जी. पी.]

S.O. 787.—Whereas it appears to the Central Government it is necessary in the public interest that for the transport of Petroleum and Natural Gas from Delhi to Bahadurgarh and Sonapat in Haryana State, pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land)

Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India H.B.J. Spur IV Pipeline Project, Room No. 152, Fis Hazari Court, Delhi.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

### SCHEDULE

For R.O.U. Acquisition for Delhi Bahadurgarh Gas pipe line

Village	Tehsil & Distt.	Khasra No.	Area in	Remarks
1	2	3	4	5
Khera Khurd	Delhi	112/16	Min 0-16	
		17	" 0-16	
		18	" 0-16	
		111/22/2	" 0-15	
		20	" 0-2	
		21/2	" 0-5	
		21/1	" 0-10	
		113/12	" 0-07	

1	2	3	4	5
		13	Min	0-8
		18	,,	0-4
		885	,,	0-1 (G.N. Khal)
		113/15	,,	0-12
		16/15	,,	0-2
		14	,,	0-15
		112/19	,,	0-16
		20/1	,,	0-12
		11/1	,,	0-2
		117/4		0-8
		3	,,	0-18
		2	,,	0-5
		6	,,	0-15
		7/2	,,	0-2
		236	,,	0-4 (Road)
		118/2/1		0-2
		10	,,	0-15
		1	,,	0-2
		8	,,	0-8
		9	,,	0-12
		2/2	,,	0-5
		118/4	,,	0-15
		7	,,	0-2
		3	,,	0-8
		5	,,	0-16
		119/5	,,	0-16
		3	,,	0-15
		4	,,	0-16
		1	,,	0-16
		2	,,	0-16
		120/1	,,	0-16
		4	,,	0-12
		3/2	,,	0-7
		2	,,	0-8
		821	,,	0-4 (G.M. Khal)
				21-3

का.आ. 788— जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि पेट्रोलियम पदार्थ एवं प्राकृतिक गैस लाने के लिए दिल्ली से बहादुरगढ़ और सोनीपत राज्य हरियाणा में पाइप लाइन परियोजना के अंतर्गत पाइप लाइन गैस अथॉरिटी आफ इंडिया लिमिटेड द्वारा बिछाया जाना है ;

और यह भी अनुभव करती है कि उम कार्य के लिए इसके साथ संलग्न विवरण में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है ,

अतः पेट्रोलियम एवं खनिज पाइप लाइन (भूमि पर प्रयोक्ता का अधिकार ग्रहण अधिनियम, 1962) (1962 का 50) के खण्ड 3 के उपखण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एनडू द्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की मंशा को घोषणा करती है।

बशर्ते कि उक्त भूमि में अपनी रुचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी आपत्ति सक्षम प्राधिकारी गैस अथॉरिटी आफ इंडिया लिमिटेड, कमरा नं. 152, तीस हजारी कोर्ट, दिल्ली में दर्ज करा सकता है

और ऐसी आपत्ति दर्ज कराते समय किसी भी व्यक्ति को यह विशेष रूप से निर्दिष्ट करना होगा कि वह व्यक्तिगत रूप से अथवा विधि व्यवसायक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

#### अनुसूची

रकबा जेर स्कीम गैस पाइप लाइन अधिग्रहण बाबत दिल्ली-बहादुरगढ़ गैस पाइप लाइन

गांव	तहसील व जिला	ख.नं.	क्षेत्रफल		टिप्पणी
			बीघा	बिस्वा	
बरवाला	दिल्ली	5/22	मिन	0	16
		21	"	0	12
		6/25/3	"	0	1
		12/1	"	0	1
		11/5	"	0	11
		4	"	0	16
		3	"	0	6
		8	"	0	9
		9	"	0	16
		10	"	0	6
		11	"	0	1
		10/15	"	0	16
		14	"	0	17
		13	"	0	13
		18	"	0	5
		19	"	0	15
		22	"	0	6
		21	"	0	14
		9/25	"	0	16
		24	"	0	5
		18/4	"	0	11
		3	"	0	16
		2	"	0	16
		1	"	0	13
		4/19	"	0	4
		20	"	0	16
		5/16	"	0	16

3		4	
17	"	0	8
24	"	0	4
23	"	0	15
		16	19

[फा.सं.ओ-14016/04/91/जी.पी.]

राजीव महर्षि, उप सचिव

S.O. 788.—Whereas it appears to the Central Government it is necessary in the public interest that for the transport of Petroleum and Natural Gas from Delhi to Bahadurgarh and Sonapat in Haryana State, pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, it exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land)

Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein:

Provided that any person interested in the said land may within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India H.B.J. Spur IV Pipeline Project, Room No. 152, Tis Hazari Court, Delhi.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

### SCHEDULE

For R.O.U. Acquisition For Delhi Bahadurgarh Gas Pipeline

Village	Tehsil & Distt.	Khasra No.	Area in Bigha-Biswas	Remarks
Barwala	Delhi	5	Min	0-16
		—		
		22		
		21	"	0-12
		6		
		—	"	0-1
		25/3		
		12		
		—	"	0-1
		1		
		11		
		—	"	0-11
		5		
		4	"	0-16
		3	"	0-6
		8	"	0-9
		9	"	0-16
		10	"	0-16
		11	"	0-1
		10	"	0-16
		—		
		15		
		14	"	0-17
		13	"	0-13
		18	"	0-5
		19	"	0-15
		22	"	0-6



4	5
21	„ 0-16
9	„ 0-16
—	
5	
4	„ 0-5
8	„ 0-16
—	
1	
1	„ 0-16
2	„ 0-16
1	„ 0-18
1	„ 0-4
—	
19	
20	„ 0-16
5	„ 0-16
—	
16	
17	„ 0-8
24	„ 0-4
23	„ 0-16
	16-19

[F.No. O-14016/04/91/G.P.]  
RAJIV MEHRSHI, Under Secy.

शहरी विकास मंत्रालय

(निर्माण प्रभाग)

नई दिल्ली, 21 फरवरी, 1991

का.प्र. 789 — केन्द्रीय सरकार, सरकारी स्थान (अप्राधिकृत अधिभोगियों की बेदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, कार्यपालक इंजीनियर, पुणे केन्द्रीय मंडल, केन्द्रीय लोक निर्माण विभाग, पुणे को, जो सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के प्रयोजनों के लिए सम्पदा अधिकारी नियुक्त करती है तथा यह निर्देश देती है कि उक्त अधिकारी पुणे केन्द्रीय मंडल, केन्द्रीय लोक निर्माण विभाग के प्रशासनिक नियंत्रणाधीन, स्थानीय सीमाओं के भीतर स्थित सरकारी स्थानों की बाबत उनके अधिकार-क्षेत्र की सीमाओं के भीतर, उक्त अधिनियम द्वारा या उसके अधीन सम्पदा अधिकारी को प्रदत्त शक्तियों का प्रयोग और अधिरोपित कर्तव्यों का पालन करेंगे।

[सं. 28012/98/90-इस्सू-3]

एस. रंगनाथन, उप सचिव

MINISTRY OF URBAN DEVELOPMENT

(Works Division)

New Delhi, the 21st February, 1991

S.O 789 — In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints, the Executive Engineer, Pune, Central Division, C P W D., Pune, being a Gazetted Officer of the Government, 573 GI/91—9

to be estate officer for the purpose of the said Act and further directs that the said officer shall exercise the powers conferred and perform the duties imposed on the estate officers by or under the said Act, within the local limits of his jurisdiction in respect of the public premises situated within the local limits, under the administrative control of the Pune Central Division, Central Public Works Department.

[No. 28012/98/90-W. 3]

S. RANGANATHAN, Dy. Secy.

## भारत मौसम विज्ञान विभाग

(मौसम विज्ञान के महानिदेशक का कार्यालय)

नई दिल्ली, 4 मार्च, 1991

का.भा. 790.—राष्ट्रपति, केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण और अपील) नियम, 1985 के नियम (1) के उपनियम (2) और नियम 12 के उपनियम (2) के खंड (ख) और नियम 24 के उपनियम (i) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के विज्ञान और प्रौद्योगिकी मंत्रालय में भारत मौसम विज्ञान विभाग की अधिसूचना सं. का.भा. 4639 और 4640 तारीख 28 सितम्बर, 1985 को अधिकांत करते हुए यह निदेश देते हैं कि इस आदेश के अधिसूची के भाग 1, 2 और 3 के स्तम्भ 1 में विनिर्दिष्ट भारत मौसम विज्ञान विभाग में, साधारण केन्द्रीय सेवा समूह 'ख' राजपत्रित और अराजपत्रित, समूह 'ग' और समूह 'ब' के पदों की बाबत स्तम्भ 2 में विनिर्दिष्ट प्राधिकारी नियुक्त प्राधिकार होंगे और स्तम्भ 3 और 5 में विनिर्दिष्ट प्राधिकारी स्तम्भ 4 में विनिर्दिष्ट शास्तियों के संबंध में क्रमशः अनुशासन प्राधिकारी और अपील प्राधिकारी होंगे।

भाग 1 साधारण केन्द्रीय सेवा—समूह 'ख'

अनुसूची

भारत मौसम विज्ञान विभाग

पद का विवरण	नियुक्ति प्राधिकारी	शास्तियां अधिरोपित करने के लिए सक्षम प्राधिकारी और वे शास्तियां जिन्हें अधिरोपित किया जा सकता है (नियम 11 में मद संख्याओं के प्रति निर्देश से)	अपील प्राधिकारी
1	2	3	4
भारत मौसम विज्ञान सेवा समूह "ख"			
राजपत्रित			
सहायक मौसम विज्ञानी, ज्येष्ठ	मौसम विज्ञान महानिदेशक	मौसम विज्ञान महानिदेशक	सभी
निजी सहायक			
		मौसम विज्ञान अपर महानिदेशक/मौसम विज्ञान उप महानिदेशक, जो कार्यालय के या प्रादेशिक मौसम विज्ञान केन्द्र के प्रधान के रूप में कार्यरत हों, अपने अपने स्थापनों में धारित पदों के लिए।	(1) से (4)
		मौसम विज्ञान उप महानिदेशक (प्रशासन और भंडार)—मौसम विज्ञान महानिदेशक के कार्यालय, केन्द्रीय भूकम्प वेधशाला (शिलांग) और स्थितीय खगोलिकी केन्द्र (कलकत्ता) के स्थापनों में धारित पदों के लिए।	मौसम विज्ञान महानिदेशक

1	2	3	4	5
समूह 'ख' अराजपत्रित व्यावसायिक सहायक, व्यावसायिक सहायक (फोरमैन) आशुलिपि क श्रेणी (1) प्रवीक्षक	मौसम विज्ञान महानिदेशक	मौसम विज्ञान महानिदेशक	सभी	राष्ट्रपति
		मौसम विज्ञान अपर महा-निदेशक/मौसम विज्ञान उप महानिदेशक, जो कार्यालय के या प्रादेशिक मौसम विज्ञान केन्द्र के प्रधान के रूप में कार्यरत हों, अपने-अपने स्थापनों में भारित पदों के लिए। मौसम विज्ञान उप महानिदेशक (प्रशासन और भंडार) — मौसम विज्ञान महानिदेशक के कार्यालय केन्द्रीय भूकम्प वेधशाला (शिलांग) और स्थितीय खगोलीय केन्द्र (कलकत्ता) के कार्यालयों में भारित पदों के लिए।	(1) से (4)	मौसम विज्ञान महानिदेशक

## भाग-2—साधारण केन्द्रीय सेवा—समूह 'ग'

## अनुसूची

## भारत मौसम विज्ञान विभाग

पद का विवरण	नियुक्ति प्राधिकारी	शास्तियां अधिरोपित करने के लिए सक्षम प्राधिकारी और वे शास्तियां जिन्हें अधिरोपित किया जा सकता है (नियम 11 में मद संख्याओं के प्रति निर्देश से)	अपील प्राधिकारी	
1	2	प्राधिकारी	शास्तियां	
3	4	5		
भारत मौसम विज्ञान सेवा— समूह 'ग' वैज्ञानिक सहायक, प्राशुलिपिक श्रेणी-2 पुस्तकालयाध्यक्ष, प्रधान लिपिक हिन्दी अनुवादक श्रेणी-1 और श्रेणी-2, प्रशासनिक सहायक, सुरक्षा निरीक्षक	मौसम विज्ञान उप महा- निदेशक (प्रशासन और भंडार)	मौसम विज्ञान उप महा निदेशक (प्रशासन और भंडार)	सभी	मौसम विज्ञान महा- निदेशक
		मौसम विज्ञान अपर महा- निदेशक (अनुसंधान) और मौसम विज्ञान अपर महानिदेशक (कृषि मौसम पुणे स्थित कार्यालयों में मौसम विज्ञान उप महानिदेशक, और मौसम	(i) से (IV)	मौसम विज्ञान महा- निदेशक

1	2	3	4	5
		विज्ञान उप महानिदेशक और कार्यालयों/प्रादेशिक मौसम विज्ञान केन्द्रों के प्रधान के रूप में कार्य- रत हों, अपने-अपने स्थापनों में धारित पदों के लिए ।		
		मौसम विज्ञान महानिदेशक का कार्यालय, नई दिल्ली के लिए मुख्यालय में मौसम विज्ञानी (स्थापना)		
सांख्यिक सहायक, अथवा क्षेत्रीय मैकेनिक अथवा क्षेत्रीय बड़ेई अथवा क्षेत्रीय इलेक्ट्रिशियन	मौसम विज्ञान उप महा- निदेशक (प्रशासन और भण्डार)	मौसम विज्ञान उप महानिदेशक (प्रशासन और भण्डार)	सभी	मौसम विज्ञान महा- निदेशक
		मौसम विज्ञान उप महा- निदेशक (उपरिक्त वायु उपकरण), नई दिल्ली, मौसम विज्ञान उप महा- निदेशक (भूतल उपकरण); पुणे और मौसम विज्ञान उप महानिदेशक, जो प्रादेशिक मौसम विज्ञान केन्द्रों के प्रधान के रूप में कार्यरत हों ।	(i) से (iv)	मौसम विज्ञान महानिदे- शक
अन्य पद				
(क) मौसम विज्ञान महानिदेशक का कार्यालय, भूकम्प विज्ञान महानिदेशक (प्रशासन और वेधशालाओं, नागर विमानन भण्डार) प्रशिक्षण केन्द्र, बमरीखी से संबद्ध मौसम विज्ञान एककों और अल मौसम वेधशालाओं जो मौसम विज्ञान महानिदेशक, केन्द्रीय भूकम्प वेधशाला (शिलांग) स्थलीय खगो- लिक केन्द्र (कलकत्ता) के स्थापन द्वारा धारित हों, में ।	मौसम विज्ञान उप महा- निदेशक (प्रशासन और भण्डार)	मौसम विज्ञान उप महा- निदेशक या मौसम विज्ञानी केन्द्रीय भूकम्प वेधशाला (शिलांग) जो कार्यालय के प्रधान के रूप में कार्यरत हों, अपने कार्यालयों में पदों के लिए । अन्य सभी के लिए मुख्यालय में मौसम विज्ञानी (स्थापना)	सभी	मौसम विज्ञान महा- निदेशक
(ख) अन्य कार्यालयों के स्था- पनों में	मौसम विज्ञान उप महा- निदेशक, जो प्रादेशिक मौसम विज्ञान केन्द्रों/कार्या- लयों के प्रशासन के रूप में कार्यरत हों ।	मौसम विज्ञान उप महानिदेशक जो प्रादेशिक मौसम विज्ञान केन्द्र/कार्यालयों के प्रधान के रूप में कार्यरत हों ।	सभी	मौसम विज्ञान महा- निदेशक
		प्रशासन का भारसाधक सहायक मौसम विज्ञानी	(i) से (iv)	सम्बन्धित मौसम विज्ञान उप महानिदेशक

## भाग-3 साधारण केन्द्रीय सेवा—समूह 'ब'

## अनुसूची

## भारत मौसम विज्ञान विभाग

पद का विवरण	नियुक्ति प्राधिकारी	शास्तिया अधिरोपित करने के लिए सक्षम प्राधिकारी और वे शास्तियां जिन्हें अधिरोपित किया जा सकता है (नियम 11 में मद संख्याओं के प्रति निर्देश से)	अपील प्राधिकारी
1	2	प्राधिकारी	शास्तियां
3	4	5	
भारत मौसम विज्ञान सेवा— समूह 'ब'			
1. मौसम विज्ञान महानिदेशक के स्थापना में धारित सभी पद और मौसम विज्ञान महानिदेशक के स्थापना द्वारा धारित जल मौसम विज्ञान और भूकम्प विज्ञान एक्को के स्थापना में के पद।	मौसम विज्ञान महानिदेशक के कार्यालय में मौसम विज्ञानी (प्रशासन)	मौसम विज्ञान महानिदेशक के कार्यालयों में मौसम विज्ञानी (प्रशासन)	मौसम विज्ञान उप महानिदेशक (प्रशासन और भण्डार)
2. केन्द्रीय भूकम्प वेधशाला (शिलांग) में सभी पद।	केन्द्रीय भूकम्प वेधशाला (शिलांग) के निदेशक या भारसाधक मौसम विज्ञानी	मौसम विज्ञान महानिदेशक (i) से (iv) के कार्यालयों में सहायक मौसम विज्ञानी (प्रशासन)	मौसम विज्ञान उप-महानिदेशक (प्रशासन और भण्डार)
3. अन्य कार्यालयों में सभी पद (स्थितीय खगोलिकी केन्द्र, कलकत्ता सहित)	प्रशासन का भारसाधक सहायक मौसम विज्ञानी	मौसम विज्ञान महानिदेशक (i) से (iv) के कार्यालयों में सहायक मौसम विज्ञानी (प्रशासन)	मौसम विज्ञान उप-महानिदेशक (प्रशासन और भण्डार)
			(i) मौसम विज्ञान उप महानिदेशक जो कार्यालयों/प्रादेशिक मौसम विज्ञान केन्द्रों के प्रधान के रूप में कार्यरत हो। (ii) निदेशक या मौसम विज्ञानी, जो स्थितीय खगोलिकी केन्द्र (कलकत्ता) के कार्यालय के प्रधान के रूप में कार्यरत हो, स्थितीय खगोलिकी केन्द्र (कलकत्ता) के पदों की बाबत।

**INDIA METEOROLOGICAL DEPARTMENT**

(Office of the Director General of Meteorology)

New Delhi, the 4th March, 1991

S.O. 790.—In exercise of the powers conferred by sub-rule (2) of rule 9 and clause (b) of sub-rule (2) of rule 12 and sub-rule (1) of rule 24 of the Central Civil Services (Classification Control and Appeal) Rules, 1965, and in supersession of the notification of the Government of India,

in the Ministry of Science and Technology, India Meteorological Department No. S.O. 4639 and 4640 dated the 28th September, 1985, the President hereby directs that in respect of the posts in the India Meteorological Department, General Central Services Group 'B' Gazetted and Non-Gazetted, Group 'C' and Group 'D', specified in column 1 of Parts I, II and III of the schedule to this order, the authority specified in column 2 shall be the Appointing Authority and the authorities specified in columns 3 and 5 shall be the Disciplinary Authority and the Appellate Authority respectively in regard to the penalties specified in column 4.

**PART-I GENERAL CENTRAL SERVICE—GROUP 'B'****SCHEDULE****INDIA METEOROLOGICAL DEPARTMENT**

Description of the post	Appointing Authority	Authority competent to impose penalties and penalties which it may impose (with reference to item numbers in Rule 11)		Appellate Authority
		Authority	Penalties	
1	2	3	4	5

**INDIA METEOROLOGICAL SERVICE—GROUP 'B'**  
**GAZETTED**

Assistant Meteorologist, Senior Personal Assistant.	Director General of Meteorology	Director General of Meteorology	All	President
		Additional Director of Meteorology/Deputy Director General of Meteorology working as Head of the office or Head of Regional Meteorological Centre for the posts borne in their respective estab- lishments.	(i) to (iv)	Director General of Meteorology.
		Deputy Director General of Meteorology (Adminis- tration and Stores) for the posts borne in the estab- lishment of Director General of Meteorology, Central Seismological Observatory (Shillong) and Positional Astronomy Centre (Calcutta).		

1	2	3	4	5
<b>GROUP 'B'</b>				
<b>NON-GAZETTED</b>				
Professional Assistant, Professional Assistant (Foreman), Stenographer Grade-I, Superintendent.	Director General of Meteorology	Director General of Meteorology. Additional Director General of Meteorology/ Deputy Director General of Meteorology working as Head of the offices or Head of the Regional Meteorological Centre for the posts borne in their respective establishments. Deputy Director General of Meteorology (Administration and Stores) for the posts borne in the office of the Director General of Meteorology, Central Seismological Observatory (Shillong) and Positional Astronomy Centre (Calcutta).	All (i) to (iv)	President Director General of Meteorology

**PART-II GENERAL CENTRAL SERVICE—GROUP 'C'****SCHEDULE****INDIA METEOROLOGICAL DEPARTMENT**

Description of the post	Appointing Authority	Authority competent to impose penalties and penalties which it may impose (with reference to item numbers in Rule 11)		Appellate Authority
		Authority	Penalties	
1	2	3	4	5
<b>INDIA METEOROLOGICAL SERVICE</b>				
<b>GROUP 'C'</b>				
Scientific Assistant, Stenographer Grade-II, Librarian, Head Clerk Hindi Translator Grade-I and Grade-II, Administrative Assistant, Security Inspector.	Deputy Director General of Meteorology (Administration and Stores)	Deputy Director General of Meteorology (Administration and Stores) Deputy Director General of Meteorology in the offices of the Additional Director General of Meteorology (Research) and Additional Director General of Meteorology (Agrimet), Pune, and Deputy Director	All (i) to (iv)	Director General of Meteorology Director General of Meteorology

1	2	3	4	5
		General of Meteorology working as Head of the offices/Regional Meteorological centres for posts in their respective establishments. Meteorologist (Establishment) at Head Quarter for office of the Director General of Meteorology, New Delhi.		
Mechanical Assistant, Selection Grade Mechanic, Selection Grade Carpenter, Selection Grade Electrician.	Deputy Director General of Meteorology (Administration and Stores)	Deputy Director General of Meteorology (Administration and Stores)	All	Director General of Meteorology
		Deputy Director General of Meteorology (Upper Air Instruments), New Delhi, Deputy Director General of Meteorology (Surface Instruments), Pune and Deputy Director General of Meteorology working as Head of Regional Meteorological Centres.	(i) to (iv)	Director General of Meteorology
<b>OTHER POSTS</b>				
(a) In the office of the Director General of Meteorology( Seismological Observatories. Meteorological Units attached to Civil Aviation Training Centre, Bamrauli, and Hydro-Meteorological Observatories which are borne on the establishment of the Director General of Meteorology, Central Seismological Observatory (Shillong), Positional Astronomy Centre (Calcutta).	Deputy Director General of Meteorology (Administration and Stores)	Deputy Director General of Meteorology (Administration and Stores)	All	Director General of Meteorology
		Director or Meteorological working as Head of office, Central Seismological Observatory (Shilong) for posts in their offices.	(i) to (iv)	Deputy Director General of Meteorology (Administration and Stores)
		Meteorologist (Establishment ) at Head Quarter for others.		
(b) In the establishment of other offices.	Deputy Director General of Meteorology working as Head of the Regional Meteorological Centres/offices.	Deputy Director General of Meteorology working as Head of the Regional Meteorological Centres/offices.	All	Director General of Meteorology
		Assistant Meteorologist Incharge of Administration.	(i) to (iv)	Deputy Director General of Meteorology concerned.



## PART-III GENERAL CENTRAL SERVICE—GROUP 'D'

SCHEDULE  
INDIA METEOROLOGICAL DEPARTMENT

Description of the post	Appointing Authority	Authority competent to impose penalties and penalties which it may impose (with reference to item numbers in Rule 11)		Appellate Authority
		Authority	Penalties	
1	2	3	4	5
<b>INDIA METEOROLOGICAL SERVICE GROUP 'D'</b>				
1. All posts borne on the establishment of the Director General of Meteorology and Hydro-Meteorological and Seismological Units borne on the establishment of the Director General of Meteorology.	Meteorologist (Administration) in the office of the Director General of Meteorology	Meteorologist (Administration) in the office of the Director General of Meteorology.	All	Deputy Director General of Meteorology (Administration and Stores)
		Assistant Meteorologist (Administration) in the office of the Director General of Meteorology.	(i) to (iv)	Deputy Director General of Meteorology (Administration and Stores)
2. All posts in Central Seismological Observatory (Shillong).	Director or Meteorologist Incharge, Central Seismological Observatory (Shillong).	Director or Meteorologist Incharge, Central Seismological Observatory (Shillong)	All	Deputy Director General of Meteorology (Administration and Stores)
3. All posts in other offices (including Positional Astronomy Centre,	Assistant Meteorologist Incharge of the Administration.	Assistant Meteorologist Incharge of the Administration	All	(i) Deputy Director General of Meteorology working as Head of office/ Regional Meteorological Centre (ii) Director or Meteorologist working as Head of office for Positional Astronomy Centre, (Calcutta) in respect of posts in Positional Astronomy Centre (Calcutta).

[No. V-00101 Part IV/A]

S.M. KULSHRESTHA, Director General of Meteorology

## श्रम मंत्रालय

नई दिल्ली, 19 फरवरी, 1991

का.आ. 791.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार में. बॉम्बे लांच सर्विसेज प्राइवेट लिमिटेड, मुम्बई के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं. 2, मुम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-2-91 को प्राप्त हुआ था।

## MINISTRY OF LABOUR

New Delhi, the 19th February, 1991

S.O. 791.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Bombay as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Bombay Launch Services Pvt. Ltd. Bombay and their workmen, which was received by the Central Government on 18-2-1991.

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2 BOMBAY

## PRESENT :

Shri P. D. Apshankar, Presiding Officer.

Reference No. CGIT-2/28 of 1990

Employers in relation to the management of M/s. Bombay Launch Services Pvt. Ltd., Bombay

## AND

Their Workmen.

INDUSTRY : Ports and Docks STATE : Maharashtra  
Bombay, the 11th February, 1991

## AWARD

The Central Government by their Order No. L-31012/20/90-IR (Misc.) dated 24-2-1990 have referred the following industrial dispute to this Tribunal for adjudication under Section 10(1)(d) of the Industrial Disputes Act :—

"Whether the management of Bombay Launch Services Private Ltd., Bombay are justified in dismissing from services Shri Iqbal Ibrahim Mirkar, Launch Sarang w.e.f. 26-2-90. If not, to what relief is the workman entitled?"

2. On receipt of the reference by this Tribunal, notices were issued to both the parties i.e. the Union and the management, and they were duly served upon them. However, the Union and the workman and also the management etc. remained absent on 12-11-1990, again on 14-12-1990, again on 29-1-1991 and also today i.e. 11-2-1991. The Union has challenged the action of the management in question. Therefore, it was for the Union to prove that action in question of the management was unjustified and illegal. However, the workman and the Union remained absent and no statement of claim has been filed on their behalf till today. As such the reference stands dismissed.  
Dt. 11-12-1991.

P. D. APSHANKAR, Presiding Officer  
[No. L-31012/20/90 IR (Misc.)]

नई दिल्ली, 21 फरवरी, 1991

का.आ. 792.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नेशनल बैंक फार एग्रीकल्चर एंड रूरल डेवलपमेंट सखनऊ के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों

के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं. 2, मुम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-2-91 को प्राप्त हुआ था।

New Delhi, the 21st February, 1991

S.O. 792.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal-cum-Labour Court Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of National Bank for Agriculture and Rural Development, Lucknow and their workmen, which was received by the Central Government on 21-2-1991.

## ANNEXURE

BEFORE SHRI ARJAN DEV, PRESIDING OFFICER,  
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-  
CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 98 of 1990

In the matter of dispute between :

Shri Bhogi Lal C/o Shri M. Shakeel I Abdul Azeez  
Road, Lucknow.

## AND

The General Manager, Indian Agriculture and Rural  
Development Bank 11 M. G. Marg, Lucknow.

## AWARD

1. The Central Government, Ministry of Labour, vide its Notification No. L-12012/23/89-IR (Bank-1) dated 10-4-90, has referred the following dispute for adjudication to this Tribunal :

Whether the General Manager National Bank for Agriculture and Rural Development Lucknow was justified in terminating the services of Shri Bhogi Lal w.e.f. 25-5-85 ? If not, to what relief the workman is entitled ?

2. In the present case, in pursuance of the reference order dated 10-4-90, first date for filing of the claim statement was fixed as 8th May, 1990 and notice to that effect was sent to the workman on 25-4-90. Since on 8th May, 1990, the P.O. was on tour as such case was ordered to come up on 25-6-90. On 25-6-90, one Shri Rakesh Mehrotra appeared for the management but none appeared for the workman and the next date was fixed as 1-8-90 for filing of the claim statement at camp Lucknow. On 1-8-90 Shri M. Shakeel appeared for the workman and moved an application requesting for time to file the claim statement on which 9-10-90 was fixed. Again on 9-10-90 on the application of the auth representative the case was adjourned to 22-11-90. On 22-11-90 one Shri P. K. Pandey appeared for the management but non appeared for the workman nor there was any application on his behalf. He also filed no claim statement.

3. From the above it thus appears that neither the workman nor his authorised representative is interested in prosecuting the case. The case cannot be allowed to linger on in the manner stated above. Therefore, a no claim award is given against the workman, in the circumstances of the case.

4. Reference is answered accordingly.

Let six copies be sent to the Ministry for publication.

ARIAN DEV, Presiding Officer  
[No. L-12012/23/89-IR (Bank-1)]

का.आ. 793.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टैंडर्ड चार्टर्ड बैंक, कानपुर के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट

औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण व श्रम न्यायालय, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-2-91 को प्राप्त हुआ था।

S.O. 793.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal-cum-Labour Court, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Standard Chartered Bank, Kanpur and their workmen, which was received by the Central Government on 21-2-1991.

#### ANNEXURE

BEFORE SHRI ARJAN DEV, PRESIDING OFFICER,  
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-  
CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 35 of 1988

In the matter of dispute between :

The General Secretary Standard Chartered Bank Staff  
Association C/o Standard Chartered Bank 16/105  
M.K. Road, Kanpur.

AND

The Manager Standards Chartered Bank, The Mall,  
Kanpur.

#### AWARD

1. The Central Government, Ministry of Labour, vide its Notification No. L-12012/92/87-D.IV (A), dated 18-3-88, has referred the following dispute for adjudication to this Tribunal :

Whether the action of the management of Standard Chartered Bank Kanpur in dismissing Shri Pramod Kumar Mehrotra from service w.e.f. 3-4-86, is justified? If not, to what relief the workman is entitled?

2. The instant case was fixed for the cross examination of the management witness on 15-1-91, on which date both the parties filed a settlement vide their application dated 15-1-91. It has been prayed in the application by that the claim of the workman has been settled and an award be given in the light of the terms of settlement. Terms of settlement are—

1. The management agree to pay a lump sum amount of Rs. 5501.58 only to Mr. Pramod Kumar Mehrotra in full and final settlement of all his claims, dues and disputes including earned wages in lieu of unavailed earned leave, bonus etc. etc. except gratuity and P.F.
  2. Mr. Pramod Kumar Mehrotra accepts the amount mentioned in para 1 above in full and final settlement of all his claims, dues and disputes including his claim for reinstatement/reemployment pending before Central Government Industrial Tribunal-cum-Labour Court, Kanpur, being I. D. No. 35/88. He acknowledges and declares that now he has no other claim, due or dispute of any nature whatsoever against the management and neither shall he himself or through any agency/union would raise any dispute or prefer any claim of any nature whatsoever against the management at any time in future.
  3. It is agreed that a copy of this settlement shall be filed in I. D. No. 35/88 with a request to pass an award in terms of this settlement.
  4. It is agreed that this is a settlement as defined in Section 2(p) of the Industrial Disputes Act, 1947 and the Rules framed thereunder.
3. I, therefore, decide the reference in the light of the above settlement.

4. Reference is answered accordingly.

Let six copies of this award be sent to the Ministry for its publication.

ARJAN DEV, Presiding Officer

[No. L-12012/92/87-D.IV (A)]

नई दिल्ली, 25 फरवरी, 1991

का.ग्रा. 794.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक मद्रास-1, के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, तमिलनाडु, मद्रास के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-2-91 को प्राप्त हुआ था।

New Delhi, the 25th February, 1991

S.O. 794.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Tamil Nadu, Madras as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of India, Madras-I and their workmen, which was received by the Central Government on 22-2-1991.

#### ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL, TAMILNADU  
MADRAS

Monday, the 28th day of January, 1991

PRESENT :

Thiru M. Gopalaswamy, B.Sc., B.L., Industrial Tribunal.

Industrial Dispute No. 110 of 1987

(In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the workmen and the management of State Bank of India, Madras-1)

BETWEEN

The Workman represented by :

The General Secretary, State Bank of Employees Union,  
157, Anagappa Street P.B. No. 1548, Madras-600001

AND

The Chief Regional Manager, State Bank of India,  
Regional Office, P.B. No. 5025, 43, Moore Street,  
Madras-600001.

Reference :

Order No. L-12012/8/87-DIIA/D-A, dated 10-9-87 of Ministry of Labour, Government of India, New Delhi.

This dispute coming on for final hearing on Thursday, the 24th day of January, 1991 upon perusing the reference, claim and counter statements and all other material papers on record and upon hearing the arguments of Thiru V. S. Ekambaram, Authorized Representative for the workman and of Thiru R. Sreekrishnan, Advocate appearing for the management and this dispute having stood over till this day for consideration, this Tribunal made the following :

#### AWARD

This dispute between the workman and the management of State Bank of India, Madras arises out of a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947 by the Government of India in its Order No. L-12012/8/87-DII/D 3-A, dated 10-9-87 of the Ministry of Labour for adjudication of the following issue :

"Whether the management of State Bank of India, Regional Office, Region V, 43, Moore Street, Madras is justified in imposing on the workman Shri S. Gunasagan, Cashier-cum-Clerk of Madurantakam Branch, Madras, the penalty of stoppage of one

increment falling due on 1-4-86 with cumulative effect? If not, to what relief the concerned workman is entitled?"

2. The claim statement is as follows :—

Petitioner while working as a cashier at Kancheepuram branch of the respondent bank was bitten on his hand by another Gaffarkhan on 9-10-84 in side the bank during working hours. Actually Gaffarkhan is the aggressor. Petitioner did not strike at the mouth of Gaffarkhan. A charge was framed against the petitioner as though he physically assaulted Gaffarkhan and caused his mouth to bleed. The petitioner denied the charge and a domestic enquiry was held. The enquiry officer had prejudice towards the petitioner and preconceived the alleged guilt. The phraseology used by the enquiry officer that the petitioner dealt "mighty blow" at the mouth of Gaffarkhan reveals his bias. Disciplinary authority ordered punishment by cutting one increment with cumulative effect. The petitioner's appeal to the Appellate Authority did not succeed the finding given by the enquiry officer as unwarranted and perverse. Hence the punishment may be set aside.

3. The contention in the counter are as follows :—

The Industrial Dispute is not maintainable. The petitioner was a Clerk-Cum-Cashier at the relevant time when there was a scuffle between them. Domestic enquiry officer gave correct finding supported by the evidence. Even before the Appellate authority, the petitioner failed to prove his innocence. All the principles of natural justice have been followed. Gaffarkhan had earlier complained to the Cash Officer that there was much noise in the centre table where petitioner and other people were working. The petitioner had grouse against him and when the opportunity came to petitioner, he caused injury by attacking Gaffarkhan wantonly. Examination of two witnesses by the management was considered adequate. The evidence given by 2 witnesses has proved the guilt of the petitioner. The domestic enquiry officer did not have any bias against the petitioner. The cash officer who gave evidence at the domestic enquiry had intervened and separated petitioner and Gaffarkhan in the midst of the quarrel. Gaffarkhan, a physical handicapped person, could not have attacked the petitioner, who is not physically stronger. There is nothing wrong in the domestic enquiry officer's and appellate authority's decision. The finding given by the enquiry officer is not at all perverse. The punishment is quiet reasonable. The Industrial Dispute is liable to be dismissed.

4. Points for determination in the Industrial Dispute are :—

- (i) Whether the finding of the domestic enquiry officer is justified?
- (ii) To what relief the petitioner is entitled?

3. No oral evidence was given by either side. Ex. M-1 to M-10 were marked by consent.

At 4.00 p.m. on 9-10-84 near the Central table of the cash department of Kancheepuram Office of the respondent, petitioner a Cashier is said to have given a blow with his hand at the mouth of another Cashier Gaffarkhan causing his false teeth to come off and his mouth to bleed.

6. The Petitioner gave Ex. M-2 reply to the charge sheet has denied the imputation and alleged that Gaffarkhan firstly humiliated him by pungent remarks and hit his right forearm after attacking him with red colour ball point pen and tearing his banian too. He further alleged that he was get medical certificate regarding the wounds from Dr. Saradambal attached to Government Hospital, Kancheepuram. Before the domestic enquiry officer, Gaffarkhan gave evidence PW-1, and Kumarasamy—Cash Officer was examined as PW-2. The Branch Manager and 3 other witnesses were not presented as witnesses. On the side of the petitioner no

was examined as DW-1 and Assistant Head Cashier Subra whether Gaffarkhan or the petitioner was the aggressor who mainan was examined as DW-2. The domestic enquiry officer while analysing the evidence has not chosen to find started the physical and verbal attack first. The petitioner immediately got a medical certificate from a Doctor at Kancheepuram and it was produced on 12-10-84 itself. But Gaffarkhan did not get a wound certificate from a Doctor at Kancheepuram immediately after the occurrence but has produced only a wound certificate obtained from one Hamedan of Chengelpattu issued on 18-10-84. Just before the occurrence time feelings were ruffled and ignited by Gaffarkhan who sitting in his place a few yards from the central table sarcastically said no work is done by people which implicitly, included the petitioner and others at the central table. This comment was made by Gaffarkhan to the messenger by name Karpooram and it was heard by the petitioner, who got upset and entered into discussion with Gaffarkhan. In first place Gaffarkhan would say that the petitioner after producing at the remark said that he would deal with Gaffarkhan after 5.00 p.m. PW-2 who is the Cash Officer deposed that after hearing the exchange of hot words he separated the two while they were locked up in the light. But he did not say who attacked whom first and what was the nature of the attack made by any one. He did not see any one's action but only saw the consequences or the attack namely the petitioner bleeding from his hand and Gaffarkhan with a bleeding mouth. With this kind of evidence, the presenting officer did not proceed to examine other witnesses Karpooram, Mathivanan and Seethapathi. The fact that the petitioner showed his torn banian with blood marks and his bitten hand to the cash officer is not denied. The petitioner had examined DW-2 the Assistant Head Cashier who emphatically told that Gaffarkhan initiated the quarrel, that he uttered words like "Poda vada" referring to the petitioner. DW-2 further told that the cash officer who is PW-2 did not try to prevent the wordy quarrel from taking a more serious turn and did not prefer to report the matter immediately to the Branch Manager, sitting a few yards away. The evidence of DW-2 Kumarasamy, tells that Gaffarkhan firstly hurled hot words, then caught the petitioner's banian and struck him with his red Ball Point Pen. DW-2 further says that when petitioner tried to extricate himself and pullout his banian, Gaffarkhan bit the right hand wrist of the petitioner. Scrutinising the evidence of PW-2 the cash officer and DW-2 Kumarasamy the Assistant Head Cashier, it is clear that DW-2's evidence is free, natural, clearcut and trust worthy. The mere fact that petitioner was a stocky man with a heavy frame and that Gaffarkhan was smaller in size and had a limp in his leg cannot be a factor in determining, who was more aggressive and began the attack first. The presenting officer while cross-examining the petitioner DW-1 put a significant question (Q. No. 62—Page No. 17) that in his attempt to ward off, Gaffarkhan's assault the petitioner Gunasagar did assault Gaffarkhan first. The presenting officer who had no direct knowledge of the occurrence, but was only instructed by Gaffarkhan, should not have put such question. The same presenting officer while cross-examining DW-2 Assistant Head Cashier questioned him that he did not see Gaffarkhan biting the hand of the petitioner Gunasagar. This question also seems to be a motivated one. Thus it appears to us that the presenting officer had preconceived notions and taken sides and that the same sort of prejudice has over taken the domestic enquiry officer. The Petitioner's contention that he has been a victim of prejudice entertained by his colleagues at Kancheepuram Branch cannot be brushed aside. The evidence of Gaffarkhan alone cannot be taken to be trust-worthy. It is not surprising that Gaffarkhan against who also an enquiry regarding this incident was conducted has not raised any dispute over the punishment given to him by the Disciplinary Authority. Reading the entire evidence on record, I believe that the domestic enquiry officer's finding recorded in his 2 page order Ex. M-4 is perverse and bad. The Appellate Authority's decision Ex. M-9 is equally unreasonable. I find that the petitioner cannot be held to have committed the misconduct attracting Paragraph 521(4)(c) of the Sastiv Award merely because he was also a participant. To be a misconduct, it must be shown that the petitioner was responsible for commencing the quarrel and further he gave the first blow and started to act violently towards Gaffarkhan in the first instance. If he is a really a victim and Gaffarkhan the aggressor it could not be said that petitioner committed gross misconduct

because he is a party to the quarrel. I hold that the evidence given before the enquiry officer has not proved the charge and that the enquiry officer's finding is liable to be set aside. The points are answered accordingly.

7. In the result, award is passed declaring that the punishment given to the petitioner is illegal and unjust and that the same is set aside. No costs.

Dated, this 28th day of January, 1991.

#### WITNESSES EXAMINED

For the sides—None.

#### DOCUMENTS MARKED

For workman—Nil.

For management :

Ex. M-1/18-10-84—Show Cause Notice issued to Thiru S. Gunasagaran (Xerox copy)

Ex. M-2/5-11-84—Reply by Thiru S. Gunasagaran to Ex. M-1 (Xerox copy)

Ex. M-3/31-12-84—Proceedings of the Enquiry Officer (Xerox copy)

Ex. M-4/27-6-85—Findings of the Enquiry Officer (Xerox copy)

Ex. M-5/13-7-85—Order of punishment, viz., stoppage of increment with cumulative effect (Xerox copy)

Ex. M-6/24-7-85—Personal hearing given to Thiru S. Gunasagaran (Xerox copy)

Ex. M-7/24-7-85—Letter from Thiru S. Gunasagaran to the Disciplinary Authority regarding punishment imposed on him. (Xerox copy)

Ex. M-8/16-8-85—Reply by Disciplinary Authority to Ex. M-7. (Xerox copy)

Ex. M-9/4-10-85—Appeal preferred by Thiru S. Gunasagaran to the Appellate Authority. (Xerox copy)

Ex. M-10/2-12-85—Letter from Appellate Authority to Thiru S. Gunasagaran. (Xerox copy)

THIRU M. GOPALASWAMY, Presiding Officer  
[No. L-12012/8/87-D.II (A)/D.III (A)]

का.आ. 795.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार यू.पी. स्टेट सीमेंट कार्पोरेशन लि., मिर्जापुर के प्रबन्धतंत्र के संबंध निर्योजकों और उनके कर्मचारों के बीच अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-2-91 को प्राप्त हुआ था।

S.O. 795.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of U.P. State Cement Corporation Ltd., Mirzapur and their workmen which was received by the Central Government on 21-2-1991.

#### ANNEXURE

BEFORE SHRI ARJAN DEV, PRESIDING OFFICER,  
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-  
CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 64 of 1939

In the matter of dispute between :

Shri Kameshwar Singh C/o Damodar Upadhyaya, Vice President, Bhartiya Cement Udyog Mazdoor Sangh Dalla Mirzapur.

AND

General Manager, U.P. State Cement Corporation Ltd.,  
U.P. Dalla Cement Factory, Dalla Mirzapur.

#### AWARD

1. The Central Government, Ministry of Labour, vide its Notification No. L-29012/38/88-D.III (B) dated 8-3-89, has

referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of U.P. State Cement Corporation Ltd. in relation to their Dalla Cement Factory, Dalla, Mirzapur, in terminating the services of Shri Kameshwar Singh, Ex-Electrician, w.e.f. 26-10-86 is justified. If not, to what relief the workman concerned is entitled?"

2. In this case written statement was filed by the management on 2-3-90 and 12-4-90 was fixed for filing rejoinder by the workman. Rejoinder was not filed by the workman on 12-4-90, 18-5-90, 2-7-90, 24-8-90, 1-10-90 and 17-10-90. Ultimately on 17-10-90, 29-11-90 was fixed for filing of affidavit evidence by the workman. No affidavit evidence was filed by the workman on 29-11-90 and 2-1-91.

3. Looking to the conduct of the workman it appears that the workman is not at all interested in prosecuting the case. Accordingly a no claim award is given against the Union/workman.

4. Reference is answered accordingly.

ARJAN DEV, Presiding Officer  
[No. L-29012/38/88-D.III (B)]

का.आ. 796.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार यू.पी. स्टेट सीमेंट कार्पोरेशन लि. मिर्जापुर के प्रबन्धतंत्र के संबंध निर्योजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21.2.91 को प्राप्त हुआ था।

S.O. 796.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of U.P. State Cement Corporation Ltd., Mirzapur and their workmen, which was received by the Central Government on 21-2-1991.

#### ANNEXURE

BEFORE SHRI ARJAN DEV, PRESIDING OFFICER,  
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-  
CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 90/89

In the matter of dispute between :

Shri Ramesh Prasad Singh C/o Damodar Upadhyaya  
Vice President Bhartiya Cement Udyog Mazdoor  
Sangh Dalla Mirzapur.

AND

General Manager U.P. State Cement Corporation Ltd.,  
U.P. Dalla Cement Factory Dalla Mirzapur.

#### AWARD

1. The Central Government, Ministry of Labour, vide its Notification No. L-29012/39/88-D.III (B), dated 7-4-89, has referred the following dispute for adjudication to this Tribunal :

Whether the action of the management of UP State Cement Corporation Limited in relation to their Dalla Cement Factory Dalla Mirzapur in terminating the services of Shri Ramesh Prasad Singh Ex-Labour w.e.f. 13-1-87 is justified? If not, to what relief is the workman concerned entitled to?

2. In this case written statement was filed by the management on 2-3-90 and 12-4-90 was fixed for filing rejoinder by the workman. Rejoinder was not filed by the workman on 12-4-90, 18-5-90, 2-7-90, 24-8-90, 1-10-90 and 17-10-90. Ultimately on 17-10-90, 29-11-90 was fixed for

filling of affidavit evidence by the workman. No affidavit evidence was filed by the workman on 29-11-90 and 2-1-91.

3. Looking to the conduct of the workman it appears that the workman is not at all interested in prosecuting the case. Accordingly a no claim award is given against the Union/workman.

4. Reference is answered accordingly.

ARJAN DEV, Presiding Officer  
[No. L-29012/39/88-D.III (B)]

का.आ. 797 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार यू.पी. स्टेट सीमेंट कार्पोरेशन लि. मिर्जापुर के प्रबन्धतंत्र के सम्बन्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कानपुर के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 21-2-91 को प्राप्त हुआ था।

S.O. 797.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of U.P. State Cement Corporation Ltd. Mirzapur and their workmen, which was received by the Central Government on the 21-2-91.

#### ANNEXURE

BEFORE SHRI ARJAN DEV PRESIDING OFFICER,  
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL  
CUM LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 113 of 1989

Shri Janaradhan Upadhyay,  
C/o Damodar Upadhyaya,  
Vice President,  
Bhartiya Cement Udyog Mazdoor Sangh,  
Dalla Mirzapur.

AND

General Manager,  
U.P. State Cement Corporation Ltd.,  
U.P. Dalla Cement Factory,  
Dalla Mirzapur.

#### AWARD

1. The Central Government, Ministry of Labour, vide its notification No. L-29012/1/89-IR (Misc) dt. 5-5-1989, has referred the following dispute for adjudication to this Tribunal:

“Whether the demand of the Bhartiya Cement Udyog Mazdoor Sangh, P.O. Dalla, Dalla on the management of Dalla Mine Stone Mine of the U.P. State Cement Corporation Ltd., Unit Dalla Cement Factory, P.O. Dalla, District Mirzapur for payment of wages of the pay scale of Rs. 590-20-990 to Shri Janaradhan Upadhyay, Machinery Attendant (who has reportedly been operating compressor from 1-1-79) w.e.f. 1-1-88 is justified. If so, what relief is the workman concerned entitled to?”

2. In this case written statement was filed by the management on 2-3-90 & 12-4-90 was fixed for filing rejoinder by the workman. Rejoinder was not filed by the workman on 12-4-90, 18-5-90, 2-7-90, 24-8-90, 1.10.90 & 17.10.90

Ultimately on 17-10-90, 29-11-90 was fixed for filing of affidavit evidence by the workman. No affidavit evidence was filed by the workman on 29-11-90 & 2-1-91.

3. Looking to the conduct of the workman it appears that the workman is not at all interested in prosecuting the case. Accordingly a no claim award is given against the Union/workman.

4. Reference is answered accordingly.

ARJAN DEV, Presiding Officer  
[No. L-29012/1/89-IR(Misc)]

का.आ. 798.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार यू.पी. स्टेट सीमेंट कार्पोरेशन लि., सोनभद्रा के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-2-91 को प्राप्त हुआ था।

S.O. 798.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of U.P. State Cement Corporation Ltd., Sonbhadra and their workmen, which was received by the Central Government on the 21st February, 1991.

#### ANNEXURE

BEFORE SHRI ARJAN DEV PRESIDING OFFICER,  
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL  
CUM LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 127 of 1990

In the matter of dispute between :  
Shri Devta Nand Pandey,  
Secretary,

Bhartiya Cement Udyog Mazdoor Sangh,  
Dalla District Sonbhadra (U.P.).

AND

The General Manager,  
U.P. State Cement Corporation Ltd.,  
Unit Dalla Cement Factory,  
District Sonbhadra.

#### AWARD

1. The Central Government, Ministry of Labour, vide its notification No. L-29012/11/90-IR(MISC) dt. 11-5-90, has referred the following dispute for adjudication to this Tribunal:

Whether the action of the management of U.P. State Cement Corporation Ltd. Unit Dalla Cement Factory, Dalla in not regularising, Shri Ali Hussain in the in the post of Motor Vehicle Driver Gr. B and not allowing him the consequential benefits is justified? If not, to what relief the workman concerned is entitled?

2. In the instant case no claim statement was filed on behalf of the Union till 18-11-1991 despite giving of opportunities on 18-7-90, 7-9-90, 5-11-90 and 27-12-90. It thus appears that neither the Union nor the workman himself is interested to prosecute the case. Therefore a no claim award is given against the Union/workman.

3. Reference is answered accordingly.

ARJAN DEV, Presiding Officer  
[No. L-29012/11/90-IR(Misc)]

का.प्रा. 799.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आयल एण्ड नैचुरल गैस कमीशन, देहरादून के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-2-91 को प्राप्त हुआ था।

S.O. 799.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Oil & Natural Gas Commission, Dehradun and their workmen, which was received by the Central Government on the 21-2-91.

## ANNEXURE

BEFORE SHRI ARJAN DEV, PRESIDING OFFICER,  
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,  
PANDU NAGAR, KANPUR

Industrial Dispute No. 88 of 1989

In the matter of dispute between :  
Shri Anup Kumar Mishra,  
234 Govind Garh Near Teachers Colony,  
Dehradun.

## AND

The Chairman,  
Oil & Natural Gas Commission,  
Tel Bhawan, Dehradun.

## AWARD

1. The Central Government, vide its notification No. L-30012/37/88-D.3(B) dt. 7th April, 1989, (issued by Ministry of Labour has referred the following dispute for adjudication to this Tribunal :

Whether the action of the management of ONGC Dehradun in terminating the services of Shri Anoop Kumar Misra contingent Motor Mate w.e.f. September 1988 was justified. If not, to what relief the workman is entitled to ?

2. In the instant case after filing of the rejoinder by the workman the case was fixed for affidavit evidence on 15-2-89. But thereafter, dated 12-11-90, 18-5-90, 8-6-90, 26-9-90, 9-11-90 and 28-12-90 were allowed but no affidavit evidence was filed by the workman. On 18-1-91 also the workman was absent.

3. Thus from the conduct of the workman it appears that he is not interested in prosecuting the case against the management.

4. Therefore, in the circumstances of the case, a no claim award is given against the workman.

ARJAN DEV, Presiding Officer

[No. L-30012/37/88-D.3(B)]

का.प्रा. 800.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आयल एण्ड नैचुरल गैस कमीशन देहरादून के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच,

अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-2-91 को प्राप्त हुआ था।

S.O. 800.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Oil and Natural Gas Commission, Dehradun and their workmen, which was received by the Central Government on the 21-2-91.

## ANNEXURE

BEFORE SHRI ARJAN DEV, PRESIDING OFFICER,  
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,  
DEOKI PALACE ROAD, PANDU NAGAR, KANPUR

Industrial Dispute No. 14 of 1989

In the matter of dispute between :

Shri Rakesh Kumar, S/o Sewak Ram, 494, Khudbuda  
Mohala Chabil Bagh, Dehradun.

## AND

The Chairman, Oil & Natural Gas Commission, Tel  
Bhawan, Dehradun.

## AWARD

1. The Central Government, Ministry of Labour vide its notification No. L-30012/30/88-D.III(B) dated 17-1-1989, has referred the following dispute for adjudication to this Tribunal :

Whether the action of the management of Oil and Natural Gas Commission Dehradun in terminating the services of Shri Rakesh Kumar Ex Workman (Sweeper) w.e.f. 1-9-87 was justified? If not, to what relief the workman is entitled to?

2. In the instant case on 18-5-90, the workman filed his affidavit evidence and was ordered to come up on 2-7-90, for cross examination of the workman. On 2-7-90 the case was adjourned to 28-8-90. Again on 24-8-90, 1-10-90 and 30-11-90 the cross examination of the workman could not be done as he did not appear in the case. Ultimately on 18-1-91 neither the workman nor his authorised representative appeared in the case despite notice of date 18-1-1991. It thus appears that the workman is not interested in prosecuting his case.

3. Therefore, in the circumstances of the case a no claim award is given against the workman.

ARIAN DEV, Presiding Officer

[No. L-30012/30/88-D.III(B)]

S. C. SHARMA, Desk Officer

नई दिल्ली, 20 फरवरी, 1991

का.प्रा. 801 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार विक्टोरिया वेस्ट-कॉलरी पोस्ट—बाराकर, (बर्दवान) के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, भासनसोल के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-2-91 को प्राप्त हुआ था।

New Delhi, the 20th February, 1991

S.O. 801.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Victoria West Colliery, P.O. Barkar, Dist. Burdwan and their workmen, which was received by the Central Government on the 19-2-91.

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 54/89

#### PRESENT:

Shri N. K. Saha, Presiding Officer.

#### PARTIES:

Employers in relation to the management of Victoria West Colliery, P.O. Barkar, Dist. Burdwan.

#### AND

Their workman.

#### APPEARANCES:

For the Employers—Shri P. K. Das, Advocate.

For the Workman—Shri Bijoy Kumar, Joint Secretary of the Union.

INDUSTRY : Coal.

STATE : West Bengal.

Dated, the 7th February, 1991

#### AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-24012(161)/87-D. IV.B/IR(C-II) dated 18-12-89.

#### SCHEDULE

"Whether the action of the management of Victoria West Colliery, P.O. Barkar, Dist. Burdwan in not declaring Sri Jalram Koiri, UG Trammer medically unfit though suffering from leprosy and denying employment to his dependent as per Clause 9.4.2 of NCWA-III, is justified? If not, to what relief the workman concerned is entitled?"

2. The case is pending since 3-8-90 for settlement. Both the parties took several adjournments for filing settlement, but they have failed. It appears to me that the parties are not taking proper interest for disposal of the case. Hence the delay. It seems to me that no dispute exists between the parties. So they are not taking interest in the case.

3. In such circumstances I have no other alternative but to pass a non-dispute award. Accordingly a no-dispute award is passed.

N. K. SAHA, Presiding Officer  
[No. L-24012/161/87-D-IV(B)/IR(C-II)]

नई दिल्ली, 22 फरवरी, 1991

का.आ. 802 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय खाद्य निगम के प्रबन्धन के संबंध नियोजकों

और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, अहमदाबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-2-91 को प्राप्त हुआ था।

S.O. 802.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Ahmedabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Food Corporation of India and their workmen, which was received by the Central Government on the 22-2-91.

#### ANNEXURE

SHRI H. R. KAMODIA, PRESIDING OFFICER

AHMEDABAD

Ref. (ITC) No. 23 of 1989

#### ADJUDICATION

#### BETWEEN

Food Corporation of India, Adipur First party.

#### AND

The workmen employed under it Second party.  
In the matter of the demand for correcting the date of birth of Shri Vishram Ratan Sayach, Labour P.O. No. 1089 from 19-4-1929 to 25-8-1934 and for giving consequent relief.

#### APPEARANCES:

Shri S. J. Bhatt, Advocate, for the first party.

Shri K. R. Chaudhary, Advocate, for the second party.

#### AWARD

An industrial dispute between the above named parties was initially referred for adjudication under Section 10(1) of the I.D. Act, 1947 by Government of India, Ministry of Labour, New Delhi, vide Order No. L-42018(13)/88-D.IV.B dated 3rd March, 1989 to the Industrial Tribunal, Ahmedabad consisting of Shri S. J. Sheth. Subsequently under an appropriate order it has been transferred to this Tribunal for appropriate decision. The dispute relates to the question "whether the action of the management of Food Corporation of India, Adipur (Kutch) in not correcting the date of birth of Shri Vishram Ratan Sayach, Labour P.O. No. 1089 from 19-4-1929 to 25-8-1934, is justified? If not, to what relief the workman concerned is entitled?"

2. The second party has in its statement of claim at Ex. 5 contended that the concerned workman was initially employed as a contract labourer with the contractor listed with Kandla Dock Labour Board. In October, 1966 the Government took a decision to remove the system of employing workers through contractor and accordingly the concerned workman was taken as a direct workman of Food Corporation of India in October, 1966. He was treated as a permanent labourer. Hence he was getting all the facilities including Provident Fund, Gratuity, bonus etc over and above the time scale of pay which is payable to the permanent employees of the Food Corporation of India. After having been taken over as a direct employee no information of any nature was called for from him. The first party of its own recorded his birth date as 19-4-1929 instead of 25-8-1934. He was not informed about any such entry made by it in the record. He was all along under the impression that the first party has recorded the correct date of birth as 25-8-1934. The first party wanted to reduce its labour force in the establishment and so it intended to carry out retrenchment. However, that was not possible and so it had declared a voluntary retirement scheme. Therefore, he opted for voluntary retirement because according to the scheme the workman was entitled to better terminal benefits. As his birth date was not correctly recorded he has sustained a loss to the extent of Rs. 78,048.90. He was retired from service under an office order No 19 dt.



30th August, 1986, as no time was given to him to make representation to the Corporation. If he was given time for representation he would have never opted for voluntary retirement. If he had known that his date of birth is erroneously recorded by the Corporation in its record he would not have opted for voluntary retirement or he would have withdrawn the said option furnished by him. Therefore, the action of the first party amounts to illegal termination of employment. Consequently he is entitled for reinstatement with full back wages. He had made several representations and had enclosed copies of horoscope and identity card in support of his correct birth date. However they have not been considered and his request was rejected. Therefore, the second party has prayed that this Tribunal be pleased to hold and declare the impugned order of voluntary retirement retiring him with effect from 31-8-1986 without correcting the date of birth as illegal, invalid and inoperative in law and with a further direction to the first party to reinstate him on his original post with full back wages as if the order passed by it retiring him with effect from a particular date as honest. The second party has further prayed for a direction to the first party to change the date of birth from 19-4-1929 to 25-8-1934 and to grant all terminal benefits to him with 15 per cent interest per annum.

3. The first party has resisted the demand put forward by the second party by filing its written statement Ex. 7. It has inter alia contended that after the workers were taken over from the erstwhile contractors, bio-data was called for from each worker. The bio-data forms were issued to the workers for filling up and for its submission to Kandla Dock Labour Board. Shri Vishram Ratan Sayach, concerned workman had also filled up and signed the said bio-data form and submitted it to the board in the year 1970 in which he had himself shown his birth date as 19-4-1929. So it is not true to contend that it had its own recorded the date of birth as 19-4-1929. At the same time the concerned workman had never intimated it that his birth date is 25-8-1934. Thus it had recorded the birth date of the concerned workman from the information supplied by him in the bio-data form. The concerned workman had raised a dispute about the date of birth to the Assistant Labour Commissioner, Adipur. He has now included the dispute about the alleged dispute of voluntary retirement order in his statement, which is beyond the scope of reference. The said voluntary retirement scheme, 1986 was introduced by the head office, New Delhi for the months of July and August, 1986. It was circulated amongst all departmental workers. 63 workers had submitted their options in the month of July, 1986, whereas 1472 workers had opted for voluntary retirement in the month of August, 1986. The voluntary retirement orders in respect of all such workers were issued in the respective months and nobody including the unions raised any objection for the same. The concerned workman had also opted for voluntary retirement vide his option dated 20-8-1986 and accordingly he was also retired along with all other workers with effect from 31-8-1986 under office order No. 19 dated 30-8-1986. If he was not satisfied with the voluntary retirement order and if he did not agree to date of birth mentioned in the office order, he should not have accepted the office order issued to him. Therefore, the voluntary retirement of the concerned workman is not illegal, invalid and inoperative as contended by the second party. This is not a case of illegal termination of the concerned workman. He was retired from service on his own request. So the question of payment of full back wages would not arise. He had submitted a copy of the horoscope etc. However, that was an after thought. He has thus tried to get his birth date revised after retirement with the intention of getting undue monetary benefit by way of compensation by extending his date of birth. Therefore, on these grounds it has prayed to dismiss the reference with cost.

4. The concerned workman has examined in this case Ex. 21. The second party has not adduced any other oral evidence. The first party has also not adduced any oral evidence. There are some documents brought on record. Parties rely on the same. I have gone through the entire record of this case.

5. At the outset it may be made clear that this Tribunal will have no jurisdiction to travel beyond the industrial dispute GI/91—11

pute contained in the reference made to it. The second party has in its statement of claim prayed for various declarations including the declaration to the effect that the order retiring the concerned workman with effect from a particular date without correcting his birth date is illegal, invalid etc. and for a direction to the first party to reinstate him on his original post with full back wages as if the order retiring him passed by the Food Corporation of India is nonest. The reference does not make any mention about his reinstatement. The reference pertains to determination by this Tribunal as to the correct birth date of the concerned workman. If this Tribunal comes to the conclusion that the correct date of birth is 25-8-1934 then appropriate direction will have to be issued to the first party not for his reinstatement, but for the re-calculation of the terminal benefits, consequent on his voluntary retirement on the basis of 25-8-1934 as his birth date. He has been paid benefits on the basis of his own submission that he was born on 19-4-1929. Therefore if this Tribunal comes to the conclusion that the birth date adopted is not correct then the first party will have to re-calculate the retirement benefits on the basis of 25-4-1934 as the correct birth date.

6. It is an admitted fact that the first party had introduced a special voluntary retirement scheme for the departmental labourers at Kandla port. The said scheme is at Ex. 17. It is for the individual workman to decide whether or not to opt for voluntary retirement under the scheme. If he decides to opt for voluntary retirement under the scheme he was required to submit his request in a prescribed option form. Accordingly in the instant case, the concerned workman had submitted the option form for voluntary retirement. It is Ex. 19. He had addressed it to the joint Manager, Food Corporation of India, Kandla port. He had thereby made it clear that he intended to retire under the said voluntary retirement scheme as contained in Circular No. KDL/LAB/16(6)/86 dtd. 26-6-1986. He had thereby requested the first party to permit him to retire accordingly. He had also requested the first party to pay to him his dues in one lumpsum. It is important to note that the concerned workman had affixed his thumb impression below his voluntary retirement form. He had also affixed his thumb impression below the statement of claim at Ex. 5. This will, therefore, go to show that he is not literate. Consequently he had not taken education in any school and so there cannot be any documentary evidence about the birth date in any school. Ex. 16 is the Vakalatnama, wherein also he had annexed his thumb impression. Ex. 15 is the office order No. 19 dtd. 30-8-1986 whereby the departmental labourers mentioned therein were retired from service on the basis of the option form submitted by them. Therefore ordered to be relieved in the afternoon of 31-8-1986. The name of the concerned workman is to be found at Sr. No. 125, Column No. 4 pertains to date of birth. In that order dt. 19-4-1929 was shown as the birth date of the concerned workman. It appears that the concerned workman had submitted representation on 6-9-1986 for correcting his birth date. His said request was rejected. This is clear from the reply given to him as per Ex. 18. Therefore it appears that within a period of six days after his retirement from service he had made a representation for correcting his birth date. So there was no delay on his part. The concerned workman has in his disposition at Ex. 20 said that the time of entry in service he was not questioned about his birth date. This is not correct. He has come out with such a false statement. He has also tried to suppress some material facts. Ex. 10 is the form of application for listing under the Kandla Unregistered Dock Workers (R.E.) Scheme, 1968. This form was filled in by the concerned workman. His photograph was pasted therein. It was shown to him during the course of his cross-examination. He has admitted that the said form was filled in according to his instruction and consent. So he has admitted Ex. 16. This form was filed in October, 1966. Therein he had shown his age as 40 yrs, with birth date as 19-4-1929. Therein also appears his thumb impression. This was, therefore the date supplied by him. This was his voluntary act. Of course he was required to submit such a form of application. However, he was at liberty to write anything therein. He was not pressed to write his birth date as 19-4-1929. He could have written his birth date as 25-8-1934. So he had himself given his birth date as 25-8-1934 in the year 1966. Therefore it is not correct to say that this birth date was recorded by the first party in its record without the knowledge of the concerned workman. On the contrary it is very clear that this

birth date was recorded by the first party in its record because it was so disclosed by the concerned workman. He had disclosed his birth date as 26-8-1934, the first party would have entered that birth date in its record. In this view of the matter it is not correct to say that the act of the first party in recording his birth date as 19-4-1929 was arbitrary, illegal and without any basis. That act was completely legal and proper and that too based on the information voluntarily submitted by the concerned workman himself. Therefore the concerned workman had never applied to the first party to correct his birth date. When he submitted Ex. 16 he knew full well he had got recorded his birth date as 19-4-29. Till he submitted the option form under the voluntary retirement scheme and till he was actually retired from service on the basis of option form submitted by him he had not made any attempt to correct his birth. The first party has recorded his birth date as declared by the concerned workman. So the act of the first party in acting upon such birth date in the matter of voluntary retirement of the concerned workman cannot be said to be illegal, arbitrary and against the provisions of law. The concerned workman has admitted that he had accepted the amount under the voluntary retirement scheme. If he was not satisfied with his birth date as disclosed or stated in the office order at Ex. 15 he should not have accepted the retirement benefit and should have insisted for correction of his birth date. He had not done that. The second party relies on Ex. 21 which appears to be xerox copy of the Entry Permit issued by the Kandla Port Trust in the year 1984 showing his age as 50 years in the year 1984. This pass is issued by the security officer. It does not contain any column of birth date. There is a column of age. This will mean that in the year 1984 he was of 50 years of age and so he was born in the year 1934. It appears that the concerned workman had decided to take advantage of Ex. 21 for exacting more amount from the first party Ex. 21 cannot be regarded as a documentary evidence of his birth date. It was issued on 3-9-1984 whereas as far back in the year 1966 the concerned workman himself had submitted his bio-data form Ex. 16, wherein he had declared his birth date as 19-4-1929. When Ex. 21 was issued, Ex. 16 would not have been with the Security Officer and he may not have bothered to see the record for the purpose of checking the age before issue of that entry permit. The concerned workman has produced a xerox copy of the horoscope which is marked as 9/3. It is not proved. The person who had prepared the horoscope is not examined. Such a horoscope of the back date can be prepared at any time. It is not a public document. As already said such a horoscope can be prepared at any time. It has got to be proved. The person preparing the horoscope should have been examined. In that case he would have been questioned as to who had come to him for getting the horoscope prepared and who had disclosed the birth date and whether he has kept any office copy of the horoscope or any record of the information given to him. The preparation of the horoscope anyway does not prove his birth date and so it cannot be taken into consideration. There is no other evidence on the record. Ex. 16 is an important document. It goes heavily against the concerned workman. He is unable to dislodge it. He has avoided to make a mention about it in the examination-in-chief. It appears that he was conscious about it. It further appears that he was conscious that it will go against him and that is why he had come out with a statement in the statement of claim that when he was first appointed no other information was called for by the first party from him. However Ex. 16 give a direct lie to such a submission made in the statement of claim and in the deposition also. He has said that at the time of joining service he was not questioned about his birth date. This on oath is proved to be totally false by Ex. 16 which is admitted by him. Thus instead of trying to explain the admission and more particularly the birth date contained in Ex. 16 he had tried to avoid or ignore it. In this view of the matter the information in Ex. 16 will have to be regarded as admission of the concerned workman and as he has not tried to explain away his admission regarding his birth date contained in Ex. 16, it will have to be held that his birth date is 19-4-1929 as voluntarily declared by him by submitting Ex. 16. If he had rendered explanation the admission in Ex. 16 would have been required to be considered alongwith the explanation. An admission can be said to be the strongest piece of evidence. Therefore the admission of the concerned workman that he was born on 19-4-1929 contained in Ex. 16 goes

against him. This was the admission made by him as far back as the year 1966. Therefore the act of the first party in entering that birth date in the record relating to the concerned workman cannot be said to be illegal etc. That act can be said to be perfectly justified. The basis of the birth date entered in the record of the second party was thus the information voluntarily submitted by the concerned workman as per Ex. 16. So the first party was justified in treating or taking that date as his correct birth date for the purpose of computing the retirement benefits to be paid to the concerned workman consequent on his option to retire under the voluntary retirement scheme. Therefore the second party has miserably failed to prove that the correct birth date of the concerned workman is 25-8-1924 and not 19-4-1929. So the industrial dispute contained in the reference will have to be dismissed and therefore, I pass the following order.

#### ORDER

For the reasons aforesaid the industrial dispute contained in the reference stands dismissed. The parties are directed to bear their own cost.

5th February, 1991.

H. R. KAMODIA, Presiding Officer

[No. L-42018/13/88-D-IV(B)]

RAJA LAL, Desk Officer

नई दिल्ली, 21 फरवरी 1991

का.ग्रा. 803 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुमरण में, केन्द्रीय सरकार, मैसर्स भारत कोकिंग कोल लि. की दाहिबारी कोलमरी के प्रबन्धतंत्र में संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, (सं. 1) धनबाद के पंचाद को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-2-91 को प्राप्त हुआ था।

New Delhi, the 21st February, 1991

S.O. 803.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 1 Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the Dahibari Colliery of M/s. Bharat Coking Coal Limited and their workmen which was received by the Central Government on the 19-2-91.

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT DHANBAD

In the matter of a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947.

Reference No. 75 of 1982

#### PARTIES:

Employers in relation to the management of B.C.C.L.'s Dahibari Colliery in Chanch Victoria Area, P.O. Chanch Victoria, Dist. Dhanbad.

#### AND

Their workmen.

#### PRESENT:

Shri S. K. Mitra, Presiding Officer.

#### APPEARANCES:

For the employers.—Shri R. S. Murthy, Advocate

For the Workmen.—Shri S. Bose, Secretary, Rashtriya Colliery Mazdoor Sangh.

STATE : Bihar

INDUSTRY : Coal

Dated, the 13th February, 1991

### AWARD

By Order No. L-20012(223)/82-D.III(A), dated the 30th November, 1982, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :—

Whether there was any assault on Shri A. K. Trivedi, A.S.I., Dahibari Colliery of M/s. B.C.C. Ltd. on 26-4-1981 and/or on 28-4-1981 as per report of the Enquiry Officer, by S/Shri Dhurb Dubey, Shao Shankar Yadav, Jaynarayan Pandey and Ram Swaroop Singh, Night Guards of the said Colliery and whether the dismissal of these Night Guards from service with effect from 18-2-1982 was justified? If not, to what relief are the said workmen entitled?"

2. The case of the management of Dahibari Colliery of M/s. BCCL, Chanch Victoria Area, Dhanbad as disclosed in the W.S. submitted, details apart, is as follows :—

S/Shri Dhurb Dubey, Shao Shankar Yadav, Jainandau Paralek and Ram Swaroop Singh, all Night Guards of Dahibari Colliery were arraigned on charge of misconduct for fighting or riotous, disorderly or indecent behaviour while on duty and also for abusing or assaulting any superior or co-worker under clause 17(i)(b) and (1) of Model Standing Orders for Industrial Establishment in Coal Mines by chargesheet dated 1-5-81 issued by the Manager of Dahibari colliery. The concerned workmen submitted reply to the chargesheets denying the charges. The explanation submitted by the concerned workmen was considered by the Manager of Dahibari colliery and he found the same to be not satisfactory. By letter dated 16-6-81 the Manager, Dahibari colliery appointed Shri N. Mukherjee, Dy. Personnel Manager, as Enquiry Officer to hold the enquiry into the charges framed against the concerned workmen. At the same time Shri B. Prasad was appointed Presenting Officer of the management. The enquiry officer held the enquiry with due notice to the concerned workmen. The witnesses for the management were examined in presence of the concerned workmen who were given full opportunity to cross-examine those witnesses. The concerned workmen were also given opportunity to examine themselves/make statement in support of their defence and to produce their own witnesses. They availed themselves of the opportunity; they also took the assistance of the co-worker to defend themselves at the time of enquiry. The enquiry was held in accordance with the principles of natural justice and all possible and reasonable opportunities were given to the concerned workmen to defend themselves. Upon consideration of evidence on record, the Enquiry Officer held the concerned workmen guilty of misconduct with which they were charged. The report of the Enquiry Officer was placed before the Agent, Dahibari colliery and he accepted the findings of the Enquiry Officer. He further considered that the charges proved against the concerned workmen were of serious nature and came to the conclusion that the workmen concerned should be dismissed from service. Accordingly by Order dated 13/18-2-82 he dismissed them from service with immediate effect.

3. The case of the concerned workmen as disclosed in the Written Statement submitted by the sponsoring union, RCMS on their behalf is as follows :—

All the concerned workmen were permanent employees of M/s. BCCL, a Government of India company in the post of Night Guards at Dahibari Colliery, one of the units of M/s. BCCL. By delegation of powers by M/s. BCCL all Night Guards, Watchmen and Chanrais have been placed at the disposal of the D.I.G./Chief Security with regard to their employment, posting, transfer and disciplinary action including dismissal from service of M/s. BCCL. All the 4 concerned

workmen were issued with a common chargesheet dated 1-5-81 under the signature of the Manager, Dahibari Colliery who had no such authority or jurisdiction to issue the chargesheet to them as they were all Night Guards. Thereafter the same colliery Manager handled the matter at his level instead of referring it to the D.I.G./Chief Security and made a show of enquiry by following empty formalities. Long thereafter by letter dated 13/18-2-82 the same Manager who issued the chargesheet dated 1-5-81 as Manager of Dahibari colliery issued letters of dismissal from service of M/s. BCCL to the concerned workmen designating himself as Agent, Dahibari colliery. The aforesaid action of the Colliery Manager or Agent are, on the face of it, is illegal. The colliery Manager and the Agent of Dahibari Colliery, by deliberately ignoring the authority of D.I.G./Chief Security as delegates of M/s. BCCL took disciplinary action against the concerned workmen which is void and illegal. Since the action taken by the Agent of Manager of Dahibari Colliery goes to the very root of the present industrial dispute their competency to do so should be decided first and if further proceeding becomes necessary, the concerned workmen would file additional Written Statement and rejoinder.

4. In rejoinder to the W.S. of the sponsoring union the management has stated that M/s. BCCL has security department headed by Chief Security/Dy. Inspector General of Police at the relevant time. The Manager and the Agent are statutory persons under the Mines Act and they enjoy absolute and full powers over all the persons employed in the Mines including powers under the relevant Standing Orders. The actual arrangement existing in M/s. BCCL is that in respect of disciplinary power over the security staff both the D.I.G./Chief Security and the Manager and the Agent of the Mines/Collieries are competent authorities—the former under the powers delegated to him and the latter under the Standing Orders. Under the Standing Orders the owners as well as the Chief Mining Engineer or a person holding a similar position are also competent to dismiss workers or to impose other punishment. The power given to the owner, Chief Mining Engineer or any person holding similar position or the Agent and the Manager under the Standing Orders have not been withdrawn at any time. The Manager of the Colliery had authority to issue chargesheet to the concerned workmen. He had such authority by virtue of powers conferred on him by the relevant Standing Orders. By letter dated 13/18-2-82 the four concerned workmen were dismissed by the Agent of the Colliery. The Manager of law colliery had by that time become the Agent and in law there was no bar to the Agent (who had been Manager earlier) issuing the dismissal order.

5. In rejoinder to the W.S. of the management, the sponsoring union asserted that the Manager of the colliery had no power to issue chargesheet to the concerned workmen whose controlling authority is the D.I.G./Chief Security and the order of dismissal passed by the Agent of the colliery is also illegal and without jurisdiction.

6. At the instance of the Management the fairness and propriety of the domestic enquiry was considered as a preliminary issue. By Order dated 8-11-90 it was held that the Manager had authority/competency to initiate disciplinary proceeding against the concerned workmen by issuing chargesheet and that in that view of the matter the domestic enquiry was held fairly and properly.

7. Consequent upon the decision that the domestic enquiry was held fairly and properly the sponsoring union filed Written Statement on behalf of the concerned workmen. The Union has disclosed in this Written Statement that the concerned workmen were permanent employees of BCCL in the capacity of Night Guard performing duties between 2 P.M. and 10 P.M. and 10 P.M. to 6 A.M. in different points of the colliery. They were placed under the over all control of the D.I.G./Chief Security of BCCL who was duly authorised as such by the Board of Directors of BCCL. The concerned workmen were served with a common chargesheet dated 1-5-81 issued by the Manager, Dahibari colliery under Model Standing Orders for industrial establishment in Coal Mines. A so-called departmental enquiry was held by the Manager without reference to the D.I.G./Chief Security of M/s. BCCL was the controlling officer of the concerned

workmen. None of the charges were proved in the departmental enquiry nor could any trustworthy evidence be adduced by the management against the concerned workmen. The management made a complaint to the local Police station at Chirkunda and after preliminary investigation, the Police found the case to be a got up one and rejected the plea of the Colliery Management that the concerned workmen committed any misconduct. At no point of time the management could provide any reason as to why the concerned workmen assaulted the ASI as alleged in the chargesheet. During the departmental enquiry no eye witness was examined in support of the charges of the management. The Colliery Medical Officer did not admit that the mark of injury on the person of the A.S.I. Shri A. K. Trivedi was due to assault by any human being and the Medical Officer of the State Government dispensary was not examined at all. The alleged incident took place at about 11 A.M. when the four concerned workmen were not on duty. There is no evidence before the Enquiry Officer that the A.S.I. visited Dahibari Colliery on official duty. The date of so-called occurrence is also confusing since it has been stated in the order of reference to have taken place on 26-4-81 and/or 28-4-1981. In the circumstances, the union has prayed that the order of dismissal issued against the concerned workmen be set aside and they be reinstated in service with full back wages.

8. In reply to the W.S. of the sponsoring union submitted after the preliminary issue was decided, the management has contended that the preliminary points and merits of the case should be decided together and submitted that the concerned workmen were required to work in different shifts from time to time as they were engaged on security duties. The Security Staff are required to work under the control and supervision of the Colliery officials including the Manager and the Agent, and the D.I.G./Chief Security is far away from the colliery and is concerned with the overall security arrangement for the entire company. The collieries are engaged not only in mining operations but numerous other activities. The charges framed against the concerned workmen are not fictitious and the same have been fully established in the domestic enquiry. The Manager and the Agent of the colliery were fully competent to take disciplinary action against the concerned workmen. Shri Trivedi, ASI himself reported the matter to the Police. It is denied that after preliminary investigation the Police found the case a got up one and rejected the complaint made by Shri Trivedi. It is not necessary that there should be eye witness in all cases. The guilt or otherwise of a person has to be ascertained on the basis of evidence adduced in domestic enquiry. The contention of the union that there was no medical evidence against the concerned workmen is misconceived. The A.S.I. was assaulted by the concerned workmen in the colliery premises while he was on duty.

9. At the time of hearing of the preliminary issue the management examined two witnesses namely MW-1 N. N. Mukherjee who held the domestic enquiry and MW-2 R. K. Mukherjee posted as Dy. Personnel Manager, Chanch Victoria Area and laid in evidence a sheaf of documents which have been marked Exts. M-1 to M-12. On the other hand the sponsoring union did not examine any witness but laid in evidence a series of documents which have been marked Exts. W-1 to W-8. The parties arrayed have not laid any other evidence at the time of hearing the matter on merits. They relied on the evidence already on records in support of their respective cases.

10. The Manager of Dahibari colliery issued chargesheet dated 1-5-81, Ext. M-3 against the concerned workmen alleging that on 26-4-81 at about 11.30 A.M. they abused and assaulted Sri A. K. Trivedi, A.S.I. (Watch and Ward) in front of the Manager's Office of Dahibari Colliery, as a result of which Shri Trivedi received grievous bodily injury including grievous injuries on the head. According to the Manager the acts of the concerned workmen constituted misconduct under the Model Standing Orders and so they were charged under Section 17(i)(e) and (r) i.e. for fighting or riotous, disorderly or indecent behaviour while on duty for abusing and assaulting any superior or co-worker.

The sponsoring union has assailed the competency of the Manager of Dahibari Colliery who issued the charge-sheets

on the ground that the concerned workmen were Night Guards and they were under the supervision and control of the D.I.G./Chief Security. I have already decided this point while hearing the preliminary issue holding that the Manager of the Dahibari Colliery had authority to issue chargesheet. But that does not necessarily mean that the chargesheet does not suffer from any infirmity.

11. It has been spelt out in the chargesheet that the occurrence took place on 26-4-81 at about 11.30 A.M. in front of the Manager's office at Dahibari Colliery. But the management adduced evidence to prove that the occurrence took place on 28-4-81. This sort of discrepancy in the date of occurrence could have been proved fatal to the management in other circumstances, but in the present case all the concerned workmen submitted reply to the chargesheet in reference to the occurrence which allegedly took place Ext. M-4 to M-4/C. It may be that the management meanwhile issued a corrigendum to the chargesheet which of course is not produced before me. Anyway, the fact remains that the concerned workmen were well aware of the occurrence referred to by the management and fashioned their reply accordingly. They have not been prejudiced in their defence by the discrepancy in the date of occurrence as spelt out in the chargesheet.

12. It has been asserted in the chargesheet that the concerned workmen committed acts of misconduct for fighting or riotous disorderly or indecent behaviour while on duty and for abusing or assaulting any superior or co-worker under clause 17(i)(e) and (r) respectively of the Model Standing Orders of the Industrial Establishment for Coal Mines. The sponsoring union disputed the fact that the concerned workmen were on duty on the alleged date and time of occurrence. As a matter of fact, clause 17(i)(e) deals with misconduct arising out of drunkenness, fighting or riotous, disorderly or indecent behaviour while on duty at the place of work (emphasize mines). The concerned workmen have stated in their reply to the chargesheet that they were not on duty on the date and at the time of occurrence—Ext. M-4 to M-4(C). Anyway there is no evidence on record to indicate that the concerned workmen were on duty on 28-4-81 at about 11.30 A.M. in Dahibari colliery and even the alleged victim Shri Trivedi, A.S.I. has not stated in his statement before the Enquiry Officer that the concerned workmen were on duty on 28-4-81 at about 11.30 A.M. in Dahibari colliery.

13. The management has taken the plea that the A.S.I. Shri Trivedi was on duty, he might be, but the provision of clause 17(i)(e) envisages that the persons proceeded against for misconduct of drunkenness, fighting or riotous, disorderly or indecent behaviour should be on duty at the place of work. The management could have proved its charge against the concerned workmen on the ground aforesaid by producing the duty roster of the concerned workmen. But that has not been produced. The Enquiry Officer did not consider this aspect of the case at all, and I consider that this being the position, his report suffers from serious infirmity. In the context of these facts and circumstances stated above the charge against the concerned workmen for fighting or riotous, disorderly or indecent behaviour must perforce founder on the ground.

14. Chargesheet is the charter of disciplinary action. The domestic enquiry commences with the service of chargesheet, and before proceeding with domestic enquiry against an offending employee, he must be informed clearly, precisely and accurately of the charges levelled against him. In the present case the management issued chargesheet to the concerned workmen alleging that they had assaulted Shri A. K. Trivedi, A.S.I. (Watch and Ward) in front of the Manager's office at Dahibari colliery, as a result of which he received grievous bodily injury including injuries on his head. I shall now consider the nature of injury sustained by Shri Trivedi and whether he received those injuries in front of the Manager's Office at Dahibari Colliery. "Grievous hurt" has been defined in Section 320 of I.P.C. is as follows :—

"First—Emasculation.

Secondly—Permanent privation of the sight of either eye.

Thirdly—Permanent privation of the hearing of either ear.

Fourthly—Privation of any member or joint.

Fifthly—Destruction or permanent impairing of the powers of any member of joint.

Sixthly—Permanent disfigurement of the head or face.

Seventhly—Fracture or dislocation of a bone or tooth.

Eighthly—Any hurt which endangers life or which causes the sufferer to be during the space of twenty days in severe bodily pain or unable to follow his ordinary pursuits."

It has surfaced in evidence that Shri Trivedi after receiving the injury was taken to Dahibari Colliery dispensary. Dr. B. K. Pal was examined by the management as one of its witness. In course of his testimony Dr. Pal stated that on 28-4-81 he examined Shri A. K. Trivedi and that he noticed head injury and gave him first aid. Ticket for Outdoor Patient was produced by the management in the domestic enquiry. There is nothing in the ticket to indicate that Shri Trivedi received grievous injury on his person. It has surfaced in evidence that Shri Trivedi was taken to State Dispensary at Chirkunda. The certificate given by the doctor does not at all support the case of the management that Shri Trivedi sustained grievous injury on his person. To crown it all the doctor himself has stated in the certificate that the injuries were simple in nature and caused by hard of blunt substance within 36 hours. The certificate discloses that Shri Trivedi was examined on 29-4-81 at about 4 P.M. Thus the evidence on record does not at all establish the fact that Shri Trivedi sustained grievous injuries on his person. On the contrary the evidence establishes that the injuries sustained by him were simple in nature. Hence the case of the management that Shri Trivedi sustained grievous bodily injury including grievous injuries on his head has got no substance at all.

15. Then again the management has alleged that the occurrence took place in front of Manager's office. But Shri Trivedi in his statement before the Enquiry Officer made it clear that on 28-4-81 at about 11.30 A.M. he came to Dahibari colliery along with Havaladar Pancham Mahato and that he went to the colliery office but the Manager of Dahibari colliery was not in his office and as such he went to the P.O.'s office and sat there. According to him he asked Pancham Mahato to call Ramchandra Singh, Havaladar of Dahibari colliery and he was sitting in the office of the Personnel Officer and Pancham Mahato went out on his errand. It is his testimony that in the meantime C.S.F. Jawan Shri K. P. Yadav told him that his Havaladar was being assaulted and he came out from the P.O.'s office and saw Pancham Mahato was being chased by the concerned workman and that the concerned workmen assaulted him with stones. Thus from the evidence of Shri Trivedi it is established that the occurrence took place in front of P.O.'s office. According to Pancham Mahato he went out on his errand to call Ramchandra Singh while Shri Trivedi sat in the colliery office. Shri Mahato having smelt trouble in the wind fled for safety to colliery office and saw Shri Trivedi outside the office. Thus from the evidence of Pancham Mahato it appears that the occurrence might have happened in front of colliery office. In his written report to his superior Shri Trivedi has stated that the occurrence took place near the colliery office. Thus from the evidence on record it is evident that the alleged occurrence did not take place in front of Manager's office as spelt out in the chargesheet.

16. The management examined a member of witnesses in domestic enquiry, but save and except the alleged victim Shri A. K. Trivedi none had seen the concerned workman in flagrante delicto.

Shri R. S. Murthy, learned Advocate for the management has submitted that the misconduct of the concerned workman for having assaulted Shri A. K. Trivedi can be proved by the evidence of Shri Trivedi himself and other evidence. There can be no dispute that the concerned workman can be held guilty even on the basis of solo performance of

Shri Trivedi provided his evidence is worthy of credence and inspire confidence. Hence I would now analyse the evidence of Shri Trivedi along with other evidence on record.

17. In his statement before the Enquiry Officer Shri Trivedi stated that on 28-4-1981 he came to Dahibari colliery at about 11.30 A.M. along with Shri Pancham Mahato, Havaladar. Thereupon, he went to the colliery office but the Manager of Dahibari colliery was not in his office and as such went to the office of the P.O. and sat there and asked Shri Pancham Mahato to call Ramchandra Singh, Havaladar of Dahibari Colliery. He continued to sit in the office of the P.O. when Pancham Mahato went out on his errand. In the meantime, Shri K. P. Yadav, C.S.F. Jawan told him that his Havaladar was being assaulted and thereupon he came out of the P.O.'s office and saw Pancham Mahato running towards the office and the concerned workmen were chasing him. Shri Pancham Mahato entered into the office while Dhruv Dubey caught hold of his (Trivedi) right hand, twisted it and abused him and other concerned workmen assaulted him with the stones as a result of which he sustained bleeding injury on his head. Shri Pancham Mahato in his statement before the Enquiry Officer stated that on the asking of Shri Trivedi he went out to call Shri Ram Chandra Singh, Havaladar whom he saw near the Palm Tree. He went upto him and then to the Coal bunker when he heard a sound from the palm tree asking him to go back. At once he smelt trouble in the wind and fled away towards the office. Shri Trivedi asked what the matter was about and he told him that was not the proper time to tell him (Trivedi) anything. Thus, the evidence of Pancham Mahato does not indicate that he was chased by the concerned workman. The story of the concerned workmen chasing Pancham Mahato is nothing but an embellishment of fact by Shri Trivedi in order to lend succour to his story that he was assaulted by the concerned workmen. Then again Shri Trivedi did not disclose before either of the two doctors as to how he came by his injuries. On the other hand Dr. Pal has stated emphatically that Shri Trivedi could have sustained the injury by sharp materials or by fall on a sharp materials. When asked as to whether Shri Trivedi was under the influence of liquor Dr. Pal could not say anything. I have already pointed out that the concerned workmen were not on duty at the time when the alleged occurrence took place and that the occurrence did not take place in front of Manager's Office and Shri Trivedi did not sustain grievous injury on his person including the injuries on his head as claimed in the chargesheet. In view of these evidence, facts and circumstances of the case. I have no hesitation to hold that the management could not prove by leading cogent and satisfactory evidence that the concerned workmen assaulted Shri Trivedi on 28-4-1981 at about 11.30 A.M.

18. The Enquiry Officer found the concerned workmen guilty of the charges levelled against them, and the management dismissed them from service with effect from 13/18-2-1981. I have already held that the concerned workmen are not guilty of the charges levelled against them and consequently the order of their dismissal from service must be set aside and they should be reinstated in service forthwith.

19. Now, I shall consider whether the concerned workmen are entitled to get backwages. Ordinarily when the order of termination is set aside, the workmen continues to be in employment and is therefore entitled to be reinstated in service with back wages [Hindustan Tin Works (Pvt.) Ltd. —vrs— the employees of Hindustan Tin Works (Pvt.) Ltd. reported in 1978-II L.L.J. 474]. In another decision reported in 1984-II—L.L.J.-10 (Jitendra Singh Rathore—vrs—Vaidyanath Arurved Bhawan and another) the Hon'ble Supreme Court has held that under Section II-A of the I. D. Act, 1947 wide discretion has been vested in the Tribunal in the matter of awarding relief according to the circumstances of the case.

It is the common knowledge that the establishment of M/s. BCCL is in the red. At the same time the concerned workmen have remained un-employed for a long time. By striking of balance I should direct the management to reinstate the concerned workmen in service with 70% of back wages. Accordingly the following Award is rendered :—

"The action of the management in dismissing the concerned workmen from service with effect from

18-2-1982 on the basis of the report of the Enquiry Officer holding them guilty of having assaulted Shri A. K. Trivedi, A.S.I., Dabihari colliery of M/s. BCCL on 28-4-1981 is not justified. Consequently the concerned workmen are entitled to be reinstated in service with 70% of back wages from the date of their dismissal from service till the date of their reinstatement. The management is directed to reinstate them in service within one month from the date of publication of the Award and to pay them back wages.

The concerned workmen are also directed to report for duty immediately after one month from the date of publication of the Award."

In the circumstances of the case, I award no costs.

S. K. MITRA, Presiding Officer  
[No. L-20012/223/82-D. III (A)/IR (Coal-I)]

नई दिल्ली, 28 फरवरी 1991

का.अ. 804 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स भारत कोकिंग कोल लि. का ब्लॉक-2 क्षेत्र के प्रबंध-तंत्र में सबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, (म. 1), धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-2-91 को प्राप्त हुआ था।

New Delhi, the 28th February, 1991

S.O. 805.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 1 Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Block-II Area of M/s. Bharat Coking Coal Limited and their workmen, which was received by the Central Government on the 15-2-1991.

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD.

In the matter of a reference under section 10(1)(d) of Industrial Disputes Act, 1947.

Reference No. 14 of 1990

#### PARTIES

Employers in relation to the management of Block-II, Area of M/s. B.C.C. Ltd.

AND

Their Workmen.

#### PRESENT :

Shri S. K. Mitra,  
Presiding Officer.

#### APPEARANCES :

For the Employers : Shri B. Joshi, Advocate.

For the Workmen : Shri S. Bose, Secretary, Rashtriya Colliery Mazdoor Sangh.

STATE : Bihar.

INDUSTRY : Coal.

Dated, the 8th February, 1991.

#### AWARD

The present reference arises out of Order No. L-20012/101/89-I. R. (Coal-I), dated the 10th January, 1990 passed

by the Central Government in respect of an industrial dispute between the parties mentioned above. The subject matter of the dispute has been specified in the schedule to the said order and the said schedule runs as follows :—

"Whether the action of the management of Block II,

Area of M/s. Bharat Coking Coal Ltd., in denying promotion to Shri Brij Bibari Tiwari to the post of Dozer Operator in Excavation Gr. 'B' w.e.f. 9/5/83 or 21-12-1983, the date on which two workmen viz., Shri Sheo Chandra Dubey and Shri Sudesh Sharma were given excavation Gr. 'B' is justified? If not, to what relief the concerned workman entitled to?"

2. The dispute has been settled out of Court. A memorandum of settlement has been filed in Court. I have gone through the terms of settlement and I find them quite fair and reasonable. There is no reason why an award should not be made on the basis of terms and conditions laid down in the memorandum of settlement. I accept it and make an award accordingly. The memorandum of settlement shall form part of the award.

3. Let a copy of this award be sent to the Ministry as required under section 15 of the Industrial Disputes Act, 1947.

S. K. MITRA, Presiding Officer

[No. L-20012/101/89-IR/Coal-I]

BEFORE THE PRESIDING OFFICER,

CENTRAL GOVERNMENT, INDUSTRIAL TRIBUNAL

NO. 1, AT DHANBAD.

Reference No. 14/90.

Employers in relation to the management of Block-II Area.

AND

Their Workmen.

#### PETITION OF COMPROMISE

The humble petition on behalf of the parties to the above reference most respectfully sheweth :—

1. That the aforesaid dispute has been amicably settled between the parties on the following terms :—

#### TERMS OF SETTLEMENT

(a) That the concerned workman Shri Brij Bibari Tiwari has already been promoted to the Excavation Grade "B" and there exists no grievance on this issue so however, his promotion to Excavation Grade "B" shall be deemed to have been promoted to the post of Dozer Operator in Excavation Grade "B" with effect from 1-8-1986.

(b) That the pending disputes relating to the concerned workman finally stands resolved.

2. That in view of the above settlement there remains nothing to be adjudicated.

Under the facts and circumstances stated above the Hon-able Tribunal will be graciously pleased to accept the settlement as fair and proper and be pleased to pass the Award in terms of the settlement.

## FOR THE WORKMEN :

K. B. SINGH, President, ROMS, Block-II Area.

## FOR THE EMPLOYERS :

M. C. NIRELA, Chief General Manager  
Block-II, Area.

## WITNESSES :

1. Surendra Yadav

2. Devi Sharma.

N. K. SHARMA, Personnel Manager  
Block -II, Area.

## Part of the Award.

का.ग्रा. 805 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मैनर्स भारत कोकिंग कोल लि. का बस्ताकोला कोलियरी के प्रबन्धन में संबद्ध नियोजकों और उनके कर्म-कारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, (सं. 1) धनबाद के पंचाद को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-2-91 को प्राप्त हुआ था।

S.O. 805.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 1 Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Bastacolla Colliery of M/s. Bharat Coking Coal Ltd., and their workmen which was received by the Central Government on the 15-2-1991.

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL NO. 1 AT DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947.

Reference No. 68 of 1988.

## PARTIES :

Employers in relation to the management of Bastacolla Colliery of M/s. B.C.C. Ltd.

## AND

Their Workmen

## PRESENT :

Shri S. K. Mitra, Presiding Officer.

## APPEARANCES :

For the Employers : Shri R. S. Murthy, Advocate.

For the Workmen : Shri L. Burman, President, United Coal Workers' Union.

STATE : Bihar.

INDUSTRY : Coal.

Dated, the 8th February, 1991.

## AWARD

The present reference arises out of Order No. L-24012 (189)/87-D. IV (B), dated, the 15th June, 1988 passed by the Central Government in respect of an industrial dispute between the parties mentioned above. The subject matter of the dispute has been specified in the schedule to the said order and the said schedule runs as follows :—

"Whether the action of the management of Bastacolla Colliery of Bastacolla Area No. IX of M/s. B.C.C.

Ltd., P.O. Jharia, Distt. Dhanbad in not regularising S/Smt. Bhagia Beldarin and Lachhmanania Kamin as Wagon Loader and Shale Picker respectively, is justified? If not, to what relief the workmen concerned are entitled?"

2. The dispute has been settled out of Court. A memorandum of settlement has been filed in Court. I have gone through the terms of settlement and I find them quite fair and reasonable. There is no reason why an award should not be made on the basis of terms and conditions laid down in the memorandum of settlement. I accept it and make an award accordingly. The memorandum of settlement shall form part of the award.

3. Let a copy of this award be sent to the Ministry as required under section 15 of the Industrial Disputes Act, 1947.

S. K. MITRA, Presiding Officer.

[No. 1-24012 (189)/87-D. IV (B)/IR (Coal-I)]

K. I. DYVA PRASAD, Desk Officer

BEFORE THE PRESIDING OFFICER,  
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL  
NO. 1 DHANBAD

Reference No. 69/88

Employers in relation to the management of Bastacolla Colliery of M/s. B.C.C.L.

## AND

Their Workmen.

## Petition of Compromise

The humble petition on behalf of the parties above named most respectfully beg to submit.

1. That the Central Government vide Notification No. L-24012 (189)/87-D. IV (B), dated 15-6-1988 referred the Industrial dispute for adjudication on the issues as contained in the Schedule to the order of reference reproduced below :—

"Whether the action of the management of Bastacolla Colliery of Bastacolla Area No. IX of M/s. BCC Ltd., P.O. Jharia, Distt. Dhanbad is not regularising S/Smt. Bhagia Beldarin and Lachhmanania Kamin as Wagon Loader and Shale Picker respectively is justified? If not, to what relief the concerned workmen are entitled?"

2. That in course of the proceedings before the Hon'ble Tribunal the above matter has been amicably settled between the parties on the following terms and conditions :—

## Terms of Settlement

(a) That it is agreed that the management of Bastacolla Colliery will regularise Smt. Bhagia Feldarin as Permanent Wagon Loader with effect from 1-1-1984 as she had 253 attendances in the Calendar year 1983.

(b) That it is agreed that the management of Bastacolla Colliery will regularise Smt. Lachhmanania Kamin as permanent Shale Picker (TR Cat-I) w.e.f. 1-1-1983 as she had 259 attendances in the Calendar year 1982 and the consequential benefit of fixation of basic pay in the scale of pay of Cat. I workmen and seniority.

(c) That this resolves the dispute pending for adjudication.

3. That the parties pray that the Hon'ble Tribunal may be pleased to accept the above settlement and pass an Award in terms of the settlement.



And for this the parties shall pray.

For the Workmen.

(Sd./-) LALIT BURMAN, Vice President.

United Coal Workers Union.

For the Employers.

Sd./-)

BHARAT SINGH, General Manager,

Bastacolla Area-JX,

B.C.C.I.

Witnesses :—

1 (Sd./-) (illegible).

2 (Sd./-) (illegible)

(Sd./-)

Advocate of the Management.

Part of the Award.

(Sg./-) Presiding Officer.

नई दिल्ली, 22 फरवरी, 1991

का.आ. 806 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार उत्तर रेलवे लखनऊ के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-2-91 को प्राप्त हुआ था।

New Delhi, the 22nd February, 1991

S.O. 806.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Northern Railway Lucknow and their workmen, which was received by the Central Government on 21-2-91.

#### ANNEXURE

BEFORE THE PRESIDING OFFICER, SHRI ARJAN DEV CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, PANDU NAGAR, DEOKI PALACE RD. KANPUR-208005

Industrial Dispute No. 21 of 1989

In the matter of dispute between :

The Divisional Secretary, Uttar Rly. Karamchari Union, 96/196 Roshan Bajaj Lane, Ganesh Ganj Lucknow.

AND

Sr. D.P.O. Uttar Railway Lucknow.

#### AWARD

1. The Central Government, Ministry of Labour, vide its notification No. L-41012/63/87-D.2(B) dt.

10th January, 1983 has referred the following dispute for adjudication to this Tribunal :

“Whether the DSTE Lucknow was justified in not regularising the service of Shri Kant son of Dev Mani Sharma as Diesel mechanic keeping in view of the Rly. Board Circular No. 220-E/190/E-4 dt. 30-6-81 w.e.f. 24-2-82 when he was placed in scaled pay ? If not, to what relief the workman was entitled to ?

2. The industrial dispute on behalf of workman Shri Shrikant has been raised by Uttar Rly Karamchari Union (Hereinafter referred to as Union for the sake of brevity). The Union's case in short is that the workman was initially appointed as DSL Mechanic in November, 1979, under Sr. DSTE (Maintenance). In the said capacity he worked for some days during the period April to July 1980. Thereafter he was engaged by Block Inspector (Construction) in November, 1980 and he worked under Block Inspector (Construction) continuously till 21-4-1982. He acquired temporary status in 1981. From 22-4-1982 he was transferred to work under Sr. DSTE (Maintenance) Northern Rly Lucknow, where he is presently working. The Union alleges that even after completing more than 10 years of service, the services of the workman have not been regularised by the management when one Shri Radhey Lal who is junior to the workman and he came to be appointed as DSL Mechanic in 1985 has been made regular. The Union has, therefore, that the workman may be regularised from November, 1980 and given arrears of pay and promotion on the basis of Next Below Rule.

3. In defence, the management plead that the workman was actually appointed on 11-12-79, on Extra Labour Arrangement (hereinafter referred to as ELA) as DSL Mechanic under Sr DSTE(M) Lucknow. He worked as such with breaks upto 14-8-80. He again worked under Sr DSTE Lucknow from 22-4-82 upto now on ELA basis as ESL Mechanic. According to the management the workman acquired temporary status on 15-11-81 and not in April 1981. The management deny that any person by the name of Shri Radhey Lal is working under Sr. DSTE Lucknow. Under Rules of Service a casual labour cannot be regularised unless he is declared suitable by the Screening Committee. In fact the Head Quarters Office New Delhi had sanctioned one post of DSL Mechanic under Sr. DSTE and on its basis the Divisional Office Northern Rly Lucknow called for a statement from the concerned branch for De-casualisation of staff. The concerned branch vide their letter dt. 18-11-89 sent the name of the workman for consideration for screening test which is going to be held at Divisional Office very shortly. If the workman is found suitable by the Screening Committee his services will be regularised. The management further plead that there is no valid industrial dispute within the meaning of section 2-A I.D. Act. The management also plead that the alleged Union is neither regularised nor it has any legal right to raise an industrial dispute on behalf of the workman. There is no post of Zonal Working President, in the alleged Union. Thus the entire claim against the Railway Administration is based on false and baseless



allegations. In its rejoinder, the Union alleges that Radhey Lal is at present working as DSL Mechanic at Varanasi. Whenever there is supersession by juniors NBR applies. The Union denies that there is no valid industrial dispute. The Union further alleges that the management is not entitled to raise any objection against their Union and its office bearer at this stage as no such objections were raised by the Union during conciliation proceedings.

4. In support of its case, the Union has filed the affidavit of the workman and in support of their case, the management have filed an affidavit of Shri Sant Ram who is posted as a clerk in the management's office.

5. Although the Union has set up the case that the workman acquired temporary status in April 1981, the workman in his cross examination has deposed that he acquired temporary status in November, 1981. However, he was unable to say whether or not he acquired the status on 15-11-81.

6. As regards Shri Radhey Lal, the workman in his cross examination admits that Shri Radhey Lal has been working from 4-5 years before the joining of workman's service. So if Radhey Lal has been regularised in service, the Union cannot base the claim of the workman on this ground. This ground therefore fails.

7. The Union examined the workman on 7-8-90. In his cross examination, the workman said that so far he had not appeared before the Screening Committee. However on 21-11-90, the Union filed the copy of letter dt. 29-8-90 from D.R.M. Lucknow, to the Chief Signal Inspector II Lucknow and Chief Telecom Inspector I Lucknow informing that three persons named in the letter had been found suitable for regularisation of their service by the Screening Committee. One such name was that of the workman Shri Shrikant. The document has been admitted by the management side. By means of this letter information regarding dates of their initial engagement was also issued. In his cross examination the management witness has deposed that the department has sent certain records connected with the workman for verification and after the verification he would be regularised in service.

8. Thus there is no dispute about the fact that until a casual labour (employee) even though he has attained temporary status has been found suitable by the Screening Committee he cannot be regularised in service. Now from the above evidence it becomes evident that he has been found suitable in the screening by the Screening Committee. The question of his regularisation in service is under process.

9. During the course of his arguments Shri Tewari authorised representative for the Union who is conducting the case as well has argued that the workman should be regularised in service w.e.f. November, 1981 when he acquired temporary status. On the other hand it has been urged by Shri Ravi Jauhari CLA and Shri B. N. Bhattacharya the Auth. Representative for the management that it cannot be done so. In his connection I must say that both sides have been unable to render much assistance to the Tribunal on the

point how they ought to have referred to some Rule/ notification or Law of Rly Board on the point.

10. From the reference order it appears that regularisation in service w.e.f. 24-2-82 has been sought on the basis of Rly Board Circular No. 220-E/190/E-4 dt. 30-6-81. The copy of the said circular has not been filed by either side. Even neither side has referred to it in their respective pleadings. It cannot therefore be said whether any such circular actually exists or not. In the circumstances all that can be ordered is that within a reasonable time the services of the workman should be regularised in accordance with Rule presently enforce.

11. The workman Shri Shrikant having been found suitable by Screening Committee is ordered to be regularised in service in accordance with the rules as are presently enforce within a period of three months from the date when this award comes into force.

12. The reference is answered accordingly.

ARJAN DEV, Presiding Officer  
[No. L-41012/63/87-D-II(B) (Pt)]

नई दिल्ली, 22 फरवरी, 1991

का.आ. 807:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार उत्तर रेलवे लखनऊ के प्रबन्धतंत्र के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट क्षेत्र प्रकाशित करती है, जो केन्द्रीय सरकार को 21-2-91 को प्राप्त हुआ था।

New Delhi, the 22nd February, 1991

S.O. 807.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Northern Railway, Lucknow and their workmen, which was received by the Central Government on 21-2-91.

#### ANNEXURE

BEFORE SHRI ARJAN DEV PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, KANPUR

Industrial Dispute No. 45 of 1987

In the matter of dispute between:

Zonal President, Uttar Railway Karamchari Union, 96/196 Roshan Bajaj Lane Ganeshganj, Lucknow.

AND

The Chief Engineer (Construction), Northern Railway, Lucknow.

#### AWARD

1. The Central Government, Ministry of Labour, vide its notification No. L-11012/61/85-D.II(B) dt.

21st April, 1987, has referred the following dispute for adjudication to this Tribunal :

Whether the action of the management of Assistant Engineer (Construction) Faizabad in terminating the services of Mohd Akhtar Gangman, w.e.f. 27-3-83 is legal and justified ? If not, to what relief the concerned workman is entitled to and from what date ?

2. The parties to the reference are Uttar Railway Karamchari Union (hereinafter referred to as Union for the sake of brevity) which has raised the industrial dispute on behalf of the workman Mohd. Akhtar and Asstt. Engineer (Construction) Northern Railway, Faizabad, Chief Engineer (Construction) Northern Railway Lucknow and Chief Engineer II Northern Railway Lucknow.

3. The Union's case in brief is that the workman had worked in the scale rate under PWI(C) Faizabad from 29-12-75 to 26-2-83. On 27-2-83, the workman was transferred to I.O.W. (C) Faizabad where he joined duty the same day. However, his name was struck off from the muster roll by PWI(C) on 7-2-83. The Union alleges that IOW(C) did not take him on duty. Thus the workman was illegally retrenched from service without notice or notice pay and without payment of retrenchment compensation. The Union further alleges that Several junior persons were allowed to work. The management has not even paid wages for the period 7-2-83 to 27-2-83. The Union has, therefore, prayed that the workman be reinstated in service with full back wages and all consequential benefits.

4. In this case, one reply was filed by Assistant Engineer (C) Northern Rly. Faizabad on 12-8-87 and another reply was filed on 21-1-88 by Sr. Civil Engineer (C) (I) Northern Rly. Lucknow. In his reply the Sr. Assistant Engineer (C) Northern Rly Faizabad has pleaded that the workman was working as a daily rated casual labour under IOW(C) (II) Faizabad which falls in his sub-division. As per instruction of the Sr. Engineer (C) (I) Allahabad the workman was transferred to work at Tnada under PWI (C) Faizabad w.e.f. 27-2-83. vide office letter dt. 24-2-84 copy Annexure A. In fact the order of transfer of the workman was issued on his own request. Since PWI(C) Faizabad under whom the workman was transferred falls in the jurisdiction of Sr. Engineer (C) Allahabad and Assistant Engineer (C) II Allahabad, he is unable to say whether or not the services of the workman were terminated.

5. On the other hand, in his reply the Sr. Civil Engineer (C) (I) Northern Rly Lucknow, pleads that the workman was a casual labour and he was engaged on work charged post in a project for a certain period of time. The workman was never retrenched from service. Upon the expiry of the work, of specific project his services automatically stood ceased. Further Sr. Civil Engineer (C) is a Unit under whom different Assistant Engineers work. The question of termination, in view of it, does not arise. He denies that the services of the workman were ever terminated.

6. In its rejoinder, the union has alleged that the workman had worked from 21-2-82 to 21-2-83 under Asstt Engineer (C) Faizabad. He was not taken on

duty on 25-2-83 Rather an attempt was made to transfer him on 26-2-83. The workman never made any request for his transfer. Actually speaking the termination of his service became effective from 25-2-83.

7. In support of their respective cases both sides have led oral as well as documentary evidence. Whereas the Union has examined Shri Ram Singh, Shakha Mantri (Construction Unit) Lucknow, the management have examined MW1 Shri Om Prakash Agnihorti IOW(C) Faizabad, MW2 A. B. Sharma, Head Clerk in the office of CIOW(C) Faizabad, MW. 3 Moti Ram Asstt. Engineer (C) Allahabad and MW. 4 Ayodhya Prasad Clerk in the office of PWI(C) Faizabad. At the very outset I must remark that it is the case of —

#### MUDDAI SUST GAWAH CHUST

The workman whose case is being espoused by the Union has not come forward in support of his case. It is not that whereabouts of the workman are not known to the Union. In para 3 of his statement in cross examination Shri Ram Singh says that the workman is alive and is in good health. He had met him 15 days ago (Shri Ram Singh was examined on 9-8-80). There is no explanation from the side of the Union as to why the workman has exhibited such disinterestedness in the case. All that can be therefore said is that the workman has been withheld from the witness box by the Union for reasons best known to the Union. Shri Ram Singh has further deposed that he has no personal knowledge about the facts deposed to by him, concerning the workman. His knowledge of facts is simply based on what was told to him by the workman. With his affidavit Shri Ram Singh has filed a number of documents which are copies. In his cross examination, he admits that endorsement appears regarding receipt of documents annexure 3 to 8. He also admits that originals of these documents were never posted by him nor delivered by him in the department concerned. No receipt of registration and no under postal certificate or their copies have been filed by the Union in respect of documents annexure 3 to 6 and 8. Thus we are left with only two documents which are annexures 1 and 2. Annexure 1 is stated to be the copy of casual labour card and annexure 2 appears to be the photocopy of posting of letters to Sr. Civil Engineer Construction N. Rly Lucknow, and Asstt. Engineer Construction I N. Rly. Lucknow. It further refers to posting of letters to Chief Engineer Construction Northern Rly Delhi, Hon'ble Railway Minister, Hon'ble Prime Minister etc. On account of witness having failed to connect annexure 2 with letters purported to have been posted, reliance can only be placed on annexure 1.

8. The management have also filed the copy of casual labour card and it is Ext. M-2. On collective reading of Annexure 1 of the affidavit of the Union witness and Ext. M-2 it stands proved that during the period 1-5-82 to 26-2-83, the workman had worked for 299 days thus attracting the provisions of Section 25F I.D. Act.

9. The question which requires consideration is whether the services of the workman were terminat-

ed by the management as alleged by the Union or the workman himself left the job. Since in the present case, no notice or notice pay was given nor he was paid retrenchment compensation, in the former case there would be violation of provisions of section 25 F D Act, but in the latter case despite all this there would be no such violation. We have to see which one of these two cases has to be believed.

10. M.W.1 Shri Om Prakash Agnihotri is IOW Construction Faizabad. He has proved the documents filed with the list of documents dt. 29-6-88 by the management. In his cross examination he has deposed that in March 1983 the workman worked for 3 days only at Faizabad and that his name was struck off from the muster roll on 5-4-83. He has further deposed that on 22-3-83 the workman came to him for taking his casual labour card saying that he was getting a job under CME Northern Rly Lucknow. He therefore delivered the casual labour card to him and obtained his acknowledgement.

11. M.W. 2 Shri A. B. Sharma who is posted as Head Clerk in the office of CIOW Faizabad, corroborates Shri Agnihotri, with regard to the facts deposed to by him on 22-3-83, the workman obtained his casual labour card. On document Fxt. M. 2 he has proved that the endorsement made by the workman with regard to his having obtained the casual labour card under his signatures.

12. M.W. 3 Sh. Moti Ram who is posted as Asstt. Engineer (C) Allahabad has deposed that in 1983, he was posted as PWI(C) at Faizabad. According to him, the workman came on transfer to Faizabad on 27-2-83. Since the workman remained absent for about a month i.e. from 5-3-83 to 4-4-83, he ceased from service automatically. On 5-4-83 his name was also deleted from the Muster Roll.

14. M.W. 4 Ayodhya Prasad is a clerk in the office of PWI(C) Faizabad. In para 4 of his affidavit he has deposed that the pay bill of the workman was prepared for 13 days i.e. for 3 days (actual working days) and 10 days in advance, but when it was brought to his notice that he did not work for 10 days. His pay of 10 days was deducted. In his cross examination, to a specific question put to him, he has said that the workman had actually worked from 27-2-83 to 1-3-83 i.e. for 3 days. He had prepared advance pay of 10 days from 5-3-83 on 4-3-83.

15. Thus from the above evidence adduced by the management it becomes evident that it is not that he had worked upto 24-2-83 as has been given out by the Union in the rejoinder. He has worked even thereafter upto 1-3-83. Since there is no evidence in rebuttal, I find nothing to disbelieve the testimony of the management witness, hence I hold that the workman worked upto 1-3-83 and thereafter absented himself. In the absence of any evidence to the contrary it would be deemed that in all probability he had abandoned the job.

16. In fact the evidence of the workman was very much necessary in the present case to rebut the evidence given by the management. The management have also proved the copy of letter dt. 24-2-83 an-

nexure A to reply filed by the Sr. Assistant Engineer (Construction) Northern Rly Faizabad. The copy of letter was also filed with the list of document dt. 29-6-88. As earlier said ten documents filed with the list of documents dt. 29-5-88 have been proved by Shri Om Prakash Agnihotri. Ext. M. 1 is the copy of that letter. It appears from the letter that he was transferred to Tanda under PWI(C) Faizabad on his own request. Mere denial in the rejoinder is not sufficient. It is quite possible that as has been deposed to by MW1 Shri Om Prakash Agnihotri that he might have taken back his casual labour card for getting service under CME Northern Rly Lucknow. Towards the end of his cross examination it was inquired from the Union witness whether the workman was working under Deputy Chief Engineer Works in the Loco Workshop, his reply was that he could not say anything about it. This shows that the Union is quite ignorant of what the workman is doing these days.

17. Thus from the above evidence, I find it to be a case of abandonment of service by the workman and not termination of his services by the management. So the question of violation of sec. 25F I.D. Act does not arise. The workman/Union is, therefore, entitled to no relief.

18. I, therefore, give my award accordingly.

ARJAN DEV, Presiding Officer

15-1-1991.

[No. L-41012/61/85-D.II(B)(pt)]

HARI SINGH, Desk Officer

का.ग्रा 808 —औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुमर्ण में, केन्द्रीय सरकार टेलीकाम इंजीनियर इंजीनियर झांसी के प्रबन्धन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-2-91 को प्राप्त हुआ था।

S.O. 808.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Telecom, Divisional Engineer, Jhansi and their workmen, which was received by the Central Government on 21-2-1991.

#### ANNEXURE

BEFORE SHRI ARJAN DEV, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 157 of 1989

In the matter of dispute between:  
Shri Amar Singh S/o Shri Babu Singh Village and P.O.  
Sagra District Bhind. 002

## AND

The Telecom Divisional Engineer Jhansi Uttar Pradesh-284001.

## AWARD

1. The Central Government, Ministry of Labour, vide its Notification No. L-40012/118/88-D.II (B), dated nil has referred the following dispute for adjudication to this Tribunal :—

Kya Telecom Divisional Engineer Jhansi द्वारा श्री Amar Singh Putra श्री Babu Singh दानिक Wetan Bhogi Karmkar ko dinank 1-4-87 se sawayein se mukt karna kanooni va nyayasangat hai ? Yadi nahi to karamkar kis anutosh ka adbhikari hai ?

2. The workman's case in brief is that he was engaged as a labourer through employment exchange on 1-6-83 by S.D.O. (T) Mainpuri. He had worked as such under SDO (T) Mainpuri from 1-6-83 to 30-6-85, under SDO (T) Orai from 1-7-85 to 15-9-85, 3-2-86 to 18-8-86 and 1-12-86 to 16-6-87, under SDO (T) Etawah from 1-9-86 to 31-10-86 and 19-6-87 to 5-8-87 and under SDO (T) Banda from 1-12-87 to 30-3-88. He alleges that on the evening of 30-3-88, he alongwith other labourers was ordered to report for duty at Orai, but SDO (T) Orai orally refused to give them duty. This according to him amounts to retrenchment which was illegal and unjustified. He has, therefore, prayed for his reinstatement with full back wages, interest at the rate of 2 per cent per month and Rs. 200 as costs.

3. The management do not admit the alleged working of the workman from 1-5-83 to 30-6-85 at Mainpuri on the ground of non availability of records in the office of Divisional Engineer (T) Jhansi. The management, however, admit that at Orai the workman had worked as a daily rated casual labour during the periods alleged by the workman in his claim statement. The management also do not admit workman's working at Etawah and Banda as alleged by the workman on ground of want of records. The management deny that by means of any order dated 30-3-88 the workman was ordered to report for duty at Orai. In fact he had been informed before hand that there was no work for him at Orai. The management also plead that since he was not a regular employee of the department, he is not entitled to any relief. In the Sub-Division Orai he had worked in all for 391 days. While he was working at Orai the management came to know that there was a charge of theft against him. In the Sub-Division Orai he was much junior in the sub-Division.

4. In his rejoinder, the workman alleges that in the month of June, July, August, September, October, November, and December 1983, he had worked for 16, 17, 31, 23, 31, 25 and 12 days respectively, in the months January, February, March, May, June, July, August, September, October, November and December, 1984, he had worked for 29, 29, 23, 19, 30, 30, 30, 24, 25, and 17 days respectively and in the months of January, February March and June 1985 he had worked for 25, 28, 28 and 30 days respectively. Since he had worked for 240 days in a year within the meaning of Section 25-B I. D. Act, he became entitled to regularisation of his services in the department. Lastly, he alleges that after 5-8-87, SDO (T) Orai in order to harass him sent him to Banda by means of written order dated 2-12-87. No other new facts has been alleged by him in the rejoinder.

5. In support of his case, the workman has led oral as well as documentary evidence. Similarly, on the other hand, in support of their case, the management have led oral as well as documentary evidence. Whereas the workman has examined himself, the management have examined Shri Shobhnath Pandey, Telephone Inspector.

6. By means of his affidavit dated 15-2-90 which the workman tendered in evidence at the time of his cross examination, the workman corroborated the facts stated by him in his claim statement and rejoinder which is accompanied by photostat copies of a number of documents. Documents marked 1, 2, and 3 are photocopies of the

certificates issued by SDO (T) Mainpuri from time to time. They corroborate the number of working days of the workman for the years 1983, 1984 and 1985 as given by him in para 1(a) of the rejoinder except for the number of days for the months March, May, July and November 1984 and February and June 1985. Document No. 4 is the copy of certificate dated 20-4-87 issued by SDO (T) Etawah showing that he had worked for 59 days 28 days in the month of September 1985 and 31 days in the month of September, 1986, and document No. 7 is the copy of certificate dated 31-3-88 issued by SDO (T) Banda showing that during the period 1-12-87 to 1-3-88, the workman had worked for 116 days.

7. There appears to be a clerical error in the date of termination mentioned in the reference order. It cannot be 1-4-87 as mentioned in it. According to the workman he had worked upto 30-3-88 and according to the management he had worked upto 5-8-87. 31-3-88 was Thursday and it was Mahavir Jayanti. From the attendance register of this office it appears that this office was closed due to Mahavir Jayanti on 31-3-83. Therefore, the date of termination of the workman could be 1-4-88 and not 1-4-87. There being a clerical error, the date of termination is read in the reference order as 1-4-88.

8. It has been argued by Shri S. N. Tewari, authorised representative for the workman, that there was violation of the provisions of Section 25-F I.D. Act. According to the authorised representative, the Tribunal has to see whether or not, the workman had worked for 240 days during the period of 12 months preceding the date of his termination. The period which will have to be taken into account for this purpose will be from 1-4-87 to 30-3-88. He submits that from documents marked 5 and 7 filed with the rejoinder it stands proved that from June 1987 to 1-3-88 the workman had worked for 160 days. Further there is no denial of the fact by the management that the workman had worked at Orai as a casual labour during the period 1-12-86 to 16-6-87. If this period is counted from 1-4-87 upto June 1987 the number of working days will come 77. On adding it the number of working days would come to 237 days. He also submits that there is no rebuttal of the workman's evidence that at Banda he had worked upto 30-3-88 by the management by any satisfactory evidence. If this period is taken into account it will stand proved that the workman had worked for more than 240 days during the period of 12 months preceding the date of his termination.

9. Shri Tewari, the authorised representative for the workman submits that it is the case of the workman that he was transferred to Banda by means of written order dated 2-12-87. The fact has been denied by the management. It stands proved from document No. 6, enclosed with the rejoinder. It is, the photostat copy of order dated 2-12-87 from SDO (T) Jhansi to SDO (T) Banda requesting the latter to take the workman and one other person on duty. It is stated in the said letter that they had been working from before 1985. In para 3 of his statement in his cross examination the management witness has admitted that the said document bears the signatures of I. D. Ram S.D.O. (T). So there remains no doubt about the authenticity of this document and also about the fact that the workman had been in the employment of the management from before 1985. This fact that the workman had been working from before 1985 has also been admitted by the management witness in para 4 of his statement in cross examination.

10. It has been further submitted by Shri Tewari, that in para 2 of his statement in cross examination, the management witness has admitted the receipt of copies of the documents enclosed with the rejoinder. But strangely enough no attempt was made to verify them from records. The records of working are with the management and the management could have shown that no case is made out in favour of the workman. There is no doubt that to a question put to the workman in cross examination, the workman has admitted in para 4 of his statement in cross examination that the RPF had caught hold of him and had kept him in their office during night. But according to him thereafter he was

released. There is nothing on record to show that he was prosecuted for any offence of the theft by the RPF. Rather from the statement made by the management witness in para 5 to cross examination it appears that he was not prosecuted but was sent by the RPF for taking action against him by the Telephone Department. The incident as per question put to the workman is said to be of 21-2-86. But as we have seen the workman continued working upto 30-3-88.

11. There is no evidence from the side of the management that before termination of his service he was given one month's notice or notice pay and was paid retrenchment compensation. Therefore there was a clear violation of the provisions of Section 25-F I. D. Act. The order terminating his services is accordingly held as void ab initio.

12. Held that the action of the management in terminating the services of the workman w.e.f. 1-4-1988 is neither legal nor justified. Consequently, the workman is held entitled to be reinstated in service with full back wages and all consequential benefits.

13. Reference is answered accordingly.

ARJAN DEV, Presiding Officer

[No. L-40012/118/88-D.II (B) (Pt.)]

का.आ. 809 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार उत्तर रेलवे लखनऊ, के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-2-91 को प्राप्त हुआ था।

S.O. 809.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Northern Railway Lucknow and their workmen, which was received by the Central Government on 21-2-1991.

#### ANNEXURE

BEFORE SHRI ARJAN DEV, PRESIDING OFFICER,  
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL  
CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 133 of 1989

In the matter of dispute between :

Shri A. K. Singh Divisional Working President U.R.K.U.  
L.D. 3-A Locumtening Shod Colony Alambagh  
Lucknow.

AND

Divisional Railway Manager Northern Railway Lucknow.

#### AWARD

1. The Central Government Ministry of Labour, vide its Notification No. L-41012/55/87-D.II (B) dated 9-5-89, has referred the following dispute for adjudication to this Tribunal :

Kya Divisional Railway Manager Uttar Railway Lucknow Dwara Shri A. K. Singh Se Clerk ke virudh Sanchayi prabhai se do varsh ke liyein Wetanman ke nyuntam ko kam karnein ki shasti laganein aur varishthata ki hani karnein ki karyawahi nyayochit thi ? Yadi nahi to karamkar kis anutosh kal haqdar hai ?

2. The workman Shri A. K. Singh, he has described himself as Divisional President, Uttar Railway Karamchahi Union

(hereinafter referred to as Union) has set up the case that presently he is working as Senior Clerk in the Uniform Cell at DRM Office Lucknow. The Divisional Authorities being annoyed with the Union activities dismissed him in May 1982, in a fictitious case of fraud. He filed a review petition pointing out that the service condition could not be changed as per Section 33-A I. D. Act, whereupon his punishment was reduced to reduction of his pay for two years.

3. The case is contested by the management. The management have denied any annoyance with the workman as alleged by him. The management admit his dismissal and subsequent revocation of order of dismissal and substituted the punishment as alleged by the workman. He was dismissed from service with effect from 31-5-82. His appeal was also rejected. He then filed a review petition dated 18-8-82 whereupon the DRM taking a sympathetic view of the matter converted the punishment of dismissal into one of reduction of pay for two years. Several other pleas have also been raised by the management.

4. 9-1-91 was the date fixed for the cross examination of the workman. On that date the workman Shri Singh moved an application with the prayer to withdraw the case due to some reason. It follows therefore that now there exist no dispute between the parties. The reference has become infructuous. It is answered accordingly.

ARJAN DEV, Presiding Officer

[No. L-41012/55/87-D.II (B) (Pt.)]

K. V B UNNY, Desk Officer

नई दिल्ली, 22 फरवरी, 1991

का.आ. 810 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय जीवन बीमा निगम के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-2-91 को प्राप्त हुआ था।

New Delhi, the 22nd February, 1991

S.O. 810.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Bombay as shown in the Annexure in the industrial dispute between the employers in relation to the Life Insurance Corporation of India and their workmen, which was received by the Central Government on 18-2-91.

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL NO 2 BOMBAY

PRESENT :

Shri P. D. Apshankar Presiding Officer.

Reference No CGIT-2/5 of 1989

PARTIES :

Employers in relation to the management of Life Insurance Corporation of India

AND

Their workmen.

APPEARANCES :

For the Employers—Shri V. K. Hemarajani Assistant Secretary (L).

For the Workmen—Shri A. B. Deshpande, General Secretary.

INDUSTRY : Life Insurance Corporation

STATE : Maharashtra

Bombay, the 6th February, 1991

### AWARD

The Central Government by their Order No. L-17011/3/88-D.IV (A)/D(B) dated 10-3-1989 have referred the following industrial dispute to this Tribunal for adjudication under Section 10(1)(d) of the Industrial Disputes Act :—

“Whether the action of the management of Life Insurance Corporation, States Divn. in relation to its Divisional Office Satara in deducting one day's wage of the 5 employees who are the office bearers of the Union for 16-5-87 and the postponement of normal grade increment is justified? If not, to what relief the workmen are entitled to?”

- (1) Shri A. R. Deshpande, Secretary
- (2) Shri A. W. Deshpande, Secretary
- (3) Shri S. K. Soman, Treasurer
- (4) Shri J. A. Koli, Jr. Secretary
- (5) Shri D. V. Toraskar, Jr. Secretary.”

2. The case of the Satara Division Insurance Workers' Organisation as disclosed from the statement of claim (Ext. 2) filed by its General Secretary, in short is thus :—

The five workmen concerned in this reference are (1) Shri A. B. Deshpande, General Secretary, (2) Shri A. W. Deshpande, President, (3) Shri S. K. Soman, Treasurer, (4) Shri J. A. Koli, Joint Secretary and Shri D. V. Toraskar, Joint Secretary. They are Office-bearers of the Satara Division Insurance workers' Organisation and are employees of the Life Insurance Corporation of India, Satara. The LIC had held departmental test for the promotion to cadre of High Grade Assistant on 12-2-1987. Many of the Scheduled Tribe employees of the LIC having high academic qualifications had appeared for the test. However, all of them were declared as unsuccessful by the LIC management. Therefore, the said organisation, i.e. the Union protested against the bias attitude of the management and held a 'Dharna' on 16-5-1987. The said five employees had participated in the 'Dharna' held outside the building of the LIC at Satara. In many public Sector undertakings it is the practice of the management to sanction casual leave for participating in the Dharna, as Dharna is not a coercive action, and hence casual leave is not refused. As per the Industrial Employment (Standing Order) Central Rules, 1946, in case the leave is to be refused by the management, the management must inform the employee about it, before the commencement of the leave. The said employees had applied for casual leave on 15-5-1987 on the previous day of the proposed Dharna. As there was no communication from the LIC management regarding refusal of casual leave, the said employees presumed that leave asked for was sanctioned by them. As such those employees participated in the Dharna, which was held peacefully without disturbing the working of the LIC office. Therefore, the said Union received a letter 18-5-1987 from the LIC management that the Leave application of the said employees were not sanctioned, and that their absence has been treated as unauthorised absence on loss of pay.

The Union, therefore, prayed that this Tribunal should hold that the action of the LIC management of refusing leave to the said employees—as illegal, and should direct the LIC management to pay one day's salary deducted from their salaries to them with interest, and should further direct the LIC management to restore normal grade increments to them.

3. The Zonal Manager of the LIC by his written statement (Ex. 3) opposed the said claim of the Union, and contended thus :—

Some time in 1987, a departmental test for determining the eligibility of the employees belonging to Scheduled Tribe was held in accordance with the promotion rules. However, none of the employee of the Scheduled Tribes was declared successful, and they failed in the necessary test. Thereafter the said Union decided to organise 'Dharna' in front of the Divisional office on 16-5-1987, in order to organise Dharna and participate in it, five employees in question applied for leave on the previous day i.e. 15-5-1987. It was mentioned in their applications that they wanted casual leave on 16-5-1987 to participate in Dharna. As the object for the leave was to hold Dharna against the management, as per normal practice no leave was sanctioned to them. The representatives of the Union were specifically told that no leave would be allowed for holding Dharna, and therefore their absence would be treated as unauthorised absence with loss of pay, and there would be postponement of their normal grade increments in terms of the provisions of LIC (Staff) Regulations. While Dharna was to be held on 16-5-1987 on the previous day i.e. 15-5-1987 a notice was issued and displayed on the Notice Boards that those who participate in the Dharna would not be entitled to draw any pay and allowances for the period of absence on the principle of 'No Work--No Pay' and the normal grade increment of such employees would also be postponed. As per Regulation 61 of the LIC (Staff) Regulations, 1960 leave cannot be claimed as a matter of right, as 'that sanction of leave cannot be presumed and leave asked for should not be availed of unless it has been specifically sanctioned. The leave asked for by the said employees was not sanctioned by the LIC management. As such the said employees absence was treated as unauthorised. As such they are not entitled to get pay for the day of unauthorised absence. The Industrial Employment (Standing Order) Act does not apply to the Life Insurance Corporation of India.

The LIC management therefore prayed for the rejection of the prayer of the Union and further prayed that the Tribunal should hold the action of the management as just and proper.

4. Issues framed at Ex. 4 are :—

- (1) Whether the action of the management of Life Insurance Corporation, Satara Division in relation to its Divisional Office, Satara in deducting one day's wages of the five employees, who are the office bearers of the Union for 16-5-1987, and postponement of normal grade increment, is justified?
  - (2) If not, to what relief the workmen are entitled to?
  - (3) What Award?
5. My findings on the above Issues are :—
- (1) No
  - (2) As per Award below
  - (3) As per Award below.

### REASONS

ISSUES NO. 1 and 2

6. Shri A. B. Deshpande one of the employees in question filed his affidavit at Ex. 6 in support of the case of the workmen. He was cross-examined on behalf of the Life Insurance Corporation of India. No oral evidence on behalf of the LIC management was led. The management, however, relied upon Regulation 61(b) of the L.I.C. of India (Staff) Regulations 1960. This regulation states that Leave cannot be claimed as a matter of right, that when the exigencies of service of Corporation so require, discretion to refuse or revoke leave of any description is reserved to the autho-

may empowered to grant it, and that sanction of leave may not be presumed and leave asked for should not be availed of unless it has been specifically sanctioned. Reliance is also placed by the management upon the notice dated 15-5-1987 (Ex. 8) displayed by it on the Notice Board of the LIC. This notice stated thus :—

"We would like to make it clear to our employees that the contemplated action is wholly unjustified and unwarranted and any absence from duty of the participating employees will be unauthorised. Such absence will be treated as a breach of discipline and all those who participate in the action will not be entitled to draw any pay and allowances for the period of absence on the principle of No work, no pay and it will result in postponement of normal grade increment in terms of L.I.C. of India (Staff) Regulations, 1960."

7. The Union, however, has relied upon the judgment of Justice Pense of Bombay High Court dated 5-8-1986 in Writ Petition No. 1941 of 1982 (Bombay University and College Teachers Union and others Vs. University of Bombay and others). It was held in that case that if casual leave is due, it cannot be refused, when applied for. In that case, the Union members had applied for mass casual leave due to them for a particular day. It was held that, their one day's salary cannot be withheld by treating them absent without permission in view of Article 226 of the Constitution of India. It was further observed in that case that it cannot be permissible for the administration to treat the absence of the teachers as absence without permission, that the teachers had applied for casual leave to show their solidarity to the toiling employees who were on strike. As the teachers applied for casual leave, then it is difficult to appreciate how the administration can refuse application on the ground that their absence would be treated as one without pay, that the administration cannot ignore that the college teachers are paid their wages for the work which they carry out in the whole month and it is not permissible to withhold the wages because of absence of one day and that it is therefore not possible to sustain the decision taken by the administration. Admittedly the Dharna by the five employees in question was to be held and was held on 16-5-1987 that those employees had applied for casual leave on the previous day i.e. on 15-5-1987 and that the orders rejecting the leave application were passed not immediately but on 18-5-1987. It is true that in view of the said Regulation of the LIC the management was authorised to reject the leave application of those employees. However, in fairness their applications should not have been rejected by the management. As noted above, those five employees had applied for leave well in advance i.e. one day earlier, and no order was passed on their applications on 15th and 16th May, 1987, but they were rejected on 18-5-1987. Further, it is not disputed that those five employees had casual leave at their credit. The Dharna was to be held and was held outside the LIC building at Satara. As such the regular and normal working in the office was not disturbed, and further, the Dharna was held by only five employees and the other employees were on duty and were discharging the normal duties in the LIC office, and their normal working was not disturbed any way. Further, the Dharna was held peacefully. Therefore, with a view to maintain cordial industrial relation between the employees and the management, the leave applications should not have been rejected by the management. As the workers can go on lawful strike, there is no reason why they should be prohibited from holding the Dharna to demonstrate their protest against certain acts of the management. Admittedly the five employees are office-bearers of a registered trade Union. A copy of the registration certificate of that Union has been produced at Ex. 5. Therefore I find that the action of the LIC management in refusing the leave applications of

the said employees was not just and proper. The leave applications of those five employees are at Ex. 9. The reasons mentioned for the leave in those applications were participation in Dharna as per the call of the Organisation. Those applications were rejected on the ground that leave cannot be granted for Dharna and they have been rejected on 18-5-1987. However, as noted above, fairness those leave applications should not have been rejected by the LIC management.

8. Further, the management has also postponed the normal increment of those employees. Thus the punishment imposed upon the employees is also too harsh, and the management should not have imposed such a harsh punishment in addition of the deduction of one day's wages. Therefore, this other action of the LIC management is also not just and proper. In the result, for the reasons mentioned above Issue No. 1 is found in the negative. Therefore, the said five employees are entitled to get their wages of the said day i.e. 16-5-1987 and they are also entitled to restoration of their normal grade of increment. Issue No. 2 is found accordingly.

### ISSUE N. 3

9. The following Award is therefore passed.

#### AWARD

- (i) The action of the management of Life Insurance Corporation, Satara Divn. in relation to its Divisional Office, Satara, in deducting one day's wage of the 5 employees who are the office bearers of the Union for 16-5-1987 and postponement of normal grade increment is not justified.
- (ii) The LIC management is hereby directed to pay the deducted wages from the said five employees to them within two months and also to restore their normal grade of increments.
- (iii) The parties to bear their own costs of this reference.

P. D. APSHANKAR, Presiding Officer

[No. L-17011/3/83-D.IV(A)/IV (B)]

V. K. VENUGOPALAN, Desk Officer

नई दिल्ली, 25 जनवरी, 1991

का.आ. 811 :—उत्प्रवास अधिनियम, 1983 (1983 का 31) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार श्री शिंगारा सिंह, अवर सचिव को दिनांक 14 फरवरी, 1991 से अगले आदेश जारी होने तक उत्प्रवास संरक्षी-1 बम्बई के रूप में नियुक्त करती है।

[संख्या ए-22012/1/91-उत्प्रवास]

आर.के. गुप्ता, अवर सचिव

New Delhi, the 25th February, 1991

S.O. 811.—In exercise of the powers conferred by Section 3, sub-section (1) of the Emigration Act, 1983 (31 of 1983), the Central Government hereby appoints Shri Shingara Singh, Under Secretary as Protector of Emigrants-I, Bombay with effect from 14-2-1991 till further orders.

[No. A-22012/1/91-Emig]

R. K. GUPTA, Under Secy.

